CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE SIX HUNDRED AND THIRTY-FIFTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 3 September 1992, at 10 a.m.

President: Mr. Michel Servais (Belgium)

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The PRESIDENT (translated from French): I declare open the 635th plenary meeting of the Conference on Disarmament.

I would like to welcome warmly, on behalf of the Conference and on my own behalf, His Excellency Ambassador Ronald Lehman, Director of the United States Arms Control and Disarmament Agency. Ambassador Lehman will be our first speaker today. I am convinced that his statement will be followed by all of us with special attention, in view of the important contributions made by his country to the disarmament process which has begun at various levels within the international community. There is no need to stress his profound knowledge of disarmament issues, which many of us, and myself in particular, have had an opportunity to appreciate during the various meetings devoted to this delicate problem. I wish Ambassador Lehman an interesting stay in Geneva.

I would also like to wish a warm welcome on behalf of the Conference and on my own behalf to our new colleague, Ambassador Lanús, the representative of Argentina, who is taking part in our work for the first time. Ambassador Lanús is his country's Permanent Representative in Geneva. He previously performed senior functions in the Argentine foreign service, and also occupied the post of Deputy Minister for Foreign Affairs. I wish him every success in his new duties.

I also wish to welcome the presence among us, on the occasion of this plenary meeting which will undoubtedly be a memorable one, of the international press, non-governmental organizations for disarmament, and especially the Women's International League for Peace and Freedom. Their presence offers us valuable encouragement. On behalf of the Conference on Disarmament, I thank them all for their interest in our work and its outcome, which I hope will be positive.

I would now like to outline to you our programme of work for today. Since the draft report was distributed only yesterday afternoon, and in order to enable delegations to prepare for the second reading, we will now hear the speakers on the list for this plenary meeting. When we reach the end of the list, I will present to the Conference for adoption the report of the Ad Hoc Committee on Chemical Weapons, which will previously have been introduced by the Committee Chairman. You will recall that at our last plenary meeting, I suggested that we should hold an informal meeting for the purposes of a second reading of the draft annual report, which has been distributed as document CD/WP.428/Rev.1. Meanwhile and at the same time, several delegations have expressed a preference for continuing the consideration of the document I have just mentioned in plenary. As the convening of an informal meeting requires the agreement of the Conference, in accordance with rule 19 of the rules of procedure, we shall therefore continue to work in plenary so as to formalize our agreement on the annual report. The fact is that plenary meetings are the rule, while informal meetings or working group meetings are the exception, so I shall abide by the general rule.

On the list of speakers today are the representative of the United States of America, the Chairman of the Ad Hoc Committee on Chemical Weapons and the representatives of Hungary, India, Pakistan, Brazil, China, France, Algeria,

(The President)

Ireland, Malta, Syria, Nigeria, Viet Nam, Morocco, Switzerland and the Russian Federation. Straight away I call on the representative of the United States of America, Ambassador Lehman, Director of the United States Arms Control and Disarmament Agency.

Mr. LEHMAN (United States of America): Let me begin by congratulating you, Ambassador Servais, on your assumption of the Conference's presidency. I pledge to you our full support as you conduct the Conference's business. We especially welcome your informal consultations during the upcoming period between CD sessions.

It is a pleasure to be back in Geneva. Although I served several years here as the negotiator for the Strategic Arms Reduction Treaty and have been back for other disarmament gatherings, this is the first time I have had the opportunity to speak formally before the Conference on Disarmament. For me and for my country, this is a particularly important moment.

The last 12 months have been good ones for arms control. Exploiting the opportunities created by the transformation of the global security environment, the United States and Russia agreed, in the words of President Bush, "to the most far-reaching reduction in nuclear weaponry since the dawn of the atomic age". Moreover, the number of adherents to the nuclear non-proliferation Treaty has grown to some 150 States. The CFE Treaty has been provisionally applied in all its aspects. European States, with Canada and the United States, have signed the Treaty on open skies that eventually could extend to regions well beyond its original area of application. And in the United Nations resolution on transparency in armaments, Members of the United Nations resoundingly supported a novel measure to come to grips with the problem of the build-up of destabilizing military forces in troubled regions. These are only some of the highlights.

Most importantly for those of you here, the Conference on Disarmament has also seized its opportunity. We are meeting here today at an historic point in the long effort by the CD to bring about multilateral arms control and disarmament. In keeping with its mandate, the Ad Hoc Committee has succeeded this year in completing its seemingly endless negotiations to ban chemical weapons. This is a major achievement toward a safer, more secure world. All of you can be proud of what you have accomplished.

Over many years, dedicated people in Geneva and in capitals have worked hard to develop the chemical weapons convention. It has not been easy to reconcile the ideas and concerns of different delegations. Nor has it been easy to design provisions that meet the complex demands of an effective chemical weapons ban. With perseverance and creativity, the Conference has produced a document that breaks new ground in many areas. The chemical weapons convention is unprecedented in the scope of its constraints, in its verification system and in its widespread benefits, especially for developing countries.

There is a tendency sometimes in the inevitable focus on the details of the text, to lose sight of the big picture. I would like to take a few minutes to explore the remarkable features of this convention. For the first

(Mr. Lehman, United States)

time on a multilateral level, States have agreed to a complete prohibition of an entire category of weapons together with appropriate enforcement machinery. The objective of the chemical weapons convention is not simply to curb the spread of chemical weapons or to preserve the status quo; rather it is to eliminate an entire type of weapon, weapons that exist in large quantities and have been used in combat.

This prohibition will be absolute. All activities for offensive chemical weapons purposes will be banned, not just the use of such weapons. All existing chemical weapons will be destroyed, not just some of them. All areas of the world will be protected, not just a specific region or a few States.

With respect to CW stockpiles, I want to stress that as a State possessing chemical weapons, the United States is committed to destroy its entire chemical weapons stockpile within the 10-year destruction period specified in the convention. All of the United States stockpile is located on United States territory. All of the United States stockpile will be destroyed on United States territory. Other States may rely on these assurances as they prepare to make declarations and meet verification requirements under the convention.

The unprecedented scope of the convention requires unprecedented verification measures. The convention provides for declaration and inspection of chemical weapons and chemical weapons production facilities, for continued inspection until they are destroyed, and for inspection of destruction. Inspectors can be present continuously during the chemical weapons destruction process.

Verification requirements for the convention are also driven by the complex relationship between chemical activities that will be prohibited and those that will not. Both developed and developing societies depend on a wide variety of chemical activities. Unfortunately, many common industrial chemicals, and the facilities that produce them, can be misused for chemical weapons purposes. The task of the negotiators has been to develop measures that will be effective in verifying compliance, but will not unduly interfere with legitimate industrial activities. The convention therefore provides for a hierarchy of measures in which the level of monitoring is based on the level of risk. The greater the risk, the more intrusive the monitoring. As a result, verification will focus on those few activities that pose the greatest risk. Where permitted activities pose less risk, other less stringent measures will be applied that will, none the less, help reduce the potential for circumvention of the system.

A safety net for the verification system is provided by challenge inspection provisions. These go well beyond analogous measures in other recent agreements. At the same time, the legitimate concerns of the inspected State party are well protected.

Another innovation in the verification system is the concept of coordinating bilateral and multilateral verification efforts. This will help to reduce the direct costs of implementing the convention without reducing the level of assurance provided to parties.

(Mr. Lehman, United States)

To oversee the operation of the convention, in particular the implementation of its verification provisions, an important new international organization will be created. The verification responsibilities of this organization - and thus the demands placed on it - go much further than those borne by IAEA or other existing bodies under normal circumstances.

This combination of strict verification of weapons production facilities and extensive monitoring of commercial industrial activities is unique to the chemical weapons convention. It is an imaginative and practical solution to a unique problem.

In addition to the scope and the verification system, the convention is unprecedented in the assurances given to developing countries. Article X provides for assistance to a State attacked or simply threatened with chemical weapons. Emergency assistance shall be provided immediately.

Security assurances in article X are supplemented by economic assurances in article XI. These provisions mean that the convention will encourage the development of chemical industry, rather than hamper it. At the same time, States retain their sovereign right to control the export of chemicals and equipment from their territory to promote important national security and foreign policy goals. I would note that members of the Australia Group have given assurances that they will review their CW-related controls with a view to removing them on exports to States parties that are in full compliance with the convention. I would also note that the convention imposes restrictions on trade with non-States parties. This is an important step to encourage universal adherence to the convention.

Finally, with respect to costs, we believe that from the very beginning close attention must be paid to the financial aspects of implementing the convention's provisions. We are sensitive to the economic burdens that already weigh heavily on States, particularly for those currently experiencing difficult economic conditions. We are prepared to work closely with others, during the preparatory period and after the convention enters into force, to help keep costs down, consistent with the needs for effective implementation of the convention's provisions.

The chemical weapons convention is not perfect. Each of us can point to provisions that we believe could be improved. It is also certain that each of us would criticize different provisions. What one delegation believes should be changed, another delegation believes must not - and vice versa. In fact, after years of negotiation we have arrived at delicate balances among competing interests and concerns. These include: a balance between the concerns of States that possess chemical weapons and those that do not; a balance between the access needed for verification and the restrictions needed to protect sensitive non-chemical-weapons activities or to protect economic interests; and a balance between the interests of developed States and developing States. The real issue now is whether the convention meets the goal of eliminating chemical weapons and also proves acceptable to States. For our part, we believe it will do both.

(Mr. Lehman, United States)

The United States fully supports the chemical weapons convention. It constitutes a critical international norm against which the behaviour of every State in the international community will be judged. We urge that it be forwarded to the United Nations General Assembly for endorsement so that it can be opened for signature early next year. I believe these views are shared by a vast majority of the States that have participated in the negotiations. Indeed, my Government hopes that all other States will conclude that they should support, sign, and ratify this convention.

Before leaving the subject of chemical weapons, I want to stress that the completion of the negotiations, important as this is, is only a stage in a longer process. Implementation will require the same degree of perseverance and creativity as negotiation. Continued close cooperation among States will be essential. Experience demonstrates that a treaty will succeed only if its implementation is well prepared and closely monitored. We urge all States to be original signatories and to participate in the preparatory conference.

Again, the United States congratulates the CD and its members. In particular we congratulate the Ad Hoc Committee Chairman, Ambassador Adolph von Wagner, for the untiring efforts that have played such an important role in this achievement, and Senator Gareth Evans, Foreign Minister of Australia, for galvanizing the chemical weapons negotiations with his initiative earlier this year.

We look forward to the success of the chemical weapons convention and we pledge to do all that we can to see that its ambitious objectives are fulfilled. Let me state clearly, the United States will be an original signatory to this convention, and we urge all other nations to make a similar public commitment at the earliest date.

The completion of our work on the chemical weapons convention turns our thoughts in another direction. Where should we next direct the CD's efforts? The end of the cold war has presented us with more, not less, in the way of arms control and disarmament opportunities and challenges. An array of new security problems, with their attendant arms control dimensions, demands our immediate attention. The current CD agenda, with some of its specific issues rooted in a past that is becoming less and less recognizable, must be adapted to the needs of the 1990s, not the 1970s.

Some of the new security challenges are already working their way into the CD's field of focus. The issue of transparency in armaments, with its United Nations component of a register of conventional arms transfers and its CD component of a deeper examination of the problem, is one such issue. But we also need to take a fresh look at all the items on the CD's agenda with a possible view to revising them to take account of developments over the past two years, or eliminating them if they are now inappropriate. Non-proliferation as a general problem could also be closely examined for ways in which the CD can take action to reinforce or complement ongoing work in other forums. However, the CD should not try to supplant ongoing work in

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appropriate forums. Concrete preparations for the 1995 NPT Conference, for example, are appropriate activities for the parties in well-known venues, not the CD.

In addition, we face the challenge of adapting the CD itself to its new environment. The problem will be to decide on the proper structure and focus for the CD in the post-cold-war era. This is a topic on which we have already begun work. I know, for example, that you, Mr. President, will be conducting informal consultations during the inter-sessional period on such important matters as the future membership and agenda of the Conference. I can assure you that you will find the United States to be an active participant in these consultations, and in the continuing process of defining and focusing the CD's work on the emerging new security and arms control problems and opportunities that confront us all.

The PRESIDENT (translated from French): I thank the representative of the United States of America for his important statement as well as all the kind things he said about myself. I now give the floor to the Chairman of the Ad Hoc Committee on Chemical Weapons, Ambassador von Wagner, who is to introduce the report of the Committee, contained in document CD/1170.

Mr. von WAGNER (Germany): Mr. President, Germany is particularly happy to see you in the Chair today - a day which might be considered as one of the most important ones in the history of the CD. We wish you luck and success.

This year's report of the Ad Hoc Committee on Chemical Weapons, as contained in document CD/1170, contains in its appendix the draft "convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction". This convention bears witness to a unique endeavour in the history of multilateral arms control and disarmament negotiations. The commitment of the international community to rid the world of chemical weapons goes back many years. But until recently it had seemed as if the Conference on Disarmament was not able to translate this long-standing commitment into a treaty. Thus, the pertinent resolutions of the United Nations General Assembly reflected a growing sense of impatience with our work as we could read in the relevant paragraphs of last year's consensus resolution 46/35 C:

"The General Assembly,

"...

"Strongly urges the Conference on Disarmament, as a matter of the highest priority, to resolve in the forthcoming months outstanding issues so as to achieve a final agreement during its 1992 session;

"Requests the Conference on Disarmament to report to the General Assembly at its forty-seventh session on the results of its negotiations".

(Mr. von Wagner, Germany)

Today, the task is accomplished. The Ad Hoc Committee on Chemical Weapons presents to the Conference on Disarmament the draft convention, the fruit of years of hard work of many dedicated negotiators, that has been brought to maturity at last. The Conference on Disarmament, in turn, can finally meet the expectations of Governments and peoples around the world and report the successful result of its negotiations to the General Assembly of the United Nations in New York.

The result of our collective effort speaks for itself. There is no precedent for this global, comprehensive and verifiable multilateral disarmament agreement. The draft convention provides for a cooperative, non-discriminatory legal instrument to eliminate the spectre of chemical warfare once and for all. The unique character of its contents is strengthened by the consistent application of two principles: overall balance and adaptability to future needs. Future States parties are offered a balanced legal instrument providing clarity on the fundamental obligations and, at the same time, enough subtlety on matters of implementation so that, with the consent of States parties, the respective provisions may still mature and evolve in the course of future practice.

The following six features of the draft convention may be seen as the key components of its overall balance. They may be looked upon separately, but their real significance flows from their entirety. They represent only parts of one single body of provisions - the convention:

First, the comprehensive scope of general obligations in article I, which, in an absolutely non-discriminatory way, bans all conceivable actions in contravention to the object and purpose of the treaty and stipulates the destruction of chemical weapons and production facilities.

Second, the built-in safeguards to deal with situations where the basic obligations had not been respected, in particular article X (Assistance and protection against chemical weapons) and article XII (Measures to redress a situation and to ensure compliance, including sanctions).

Third, the very clear and unambiguous provisions on the destruction, including its verification, of chemical weapons and chemical weapons production facilities as elaborated in articles IV and V in conjunction with parts IV and V of the verification annex.

Fourth, the extremely delicate and equitable balance which has been established in article VIII in the provisions on the executive council, its composition, procedure, decision-making, powers and functions.

Fifth, the general verification package beyond the specific provisions for verification of destruction, which consists of challenge inspections in article IX and part X of the verification annex and routine verification in chemical industry (article VI and parts VII to IX of the verification annex). The political instrument of challenge inspections reconciles the diverging objectives of maximum assurance against non-compliance, protection of the inspected States parties' sovereign rights, and the prevention of abuse.

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Routine verification in industry balances the objectives of reliable confidence-building, simplicity of administration, and non-interference with perfectly legitimate activities in chemical industry.

Sixth, the evolutionary concept for economic and technological development as contained in article XI and highlighted in the preamble, in conjunction with the equally evolving confidence-building regime of verification in chemical industry, opens the door to expanded international trade and economic cooperation in the chemical sector.

Having highlighted the key features of the draft convention, I would like to guide you briefly through the main provisions of the treaty. Firstly, general obligations and definitions (articles I and II). Article I incorporates the basic undertakings of the convention, adding up to a total ban on chemical weapons and any activities aiming at or contributing to their use. The definitions in article II make clear that this ban extends not only to chemical warfare agents as such, but also to the means of delivery and other devices specifically designed for the use of chemical weapons. Article I furthermore obliges States parties to destroy all chemical weapons, including abandoned chemical weapons, and chemical weapons production facilities. Due to compromises and concessions in summer 1991, the basic obligations regarding the ban on chemical weapons and their destruction as contained in the draft convention are unreservedly comprehensive and absolutely non-discriminatory. Article II, which defines all important terms used in the articles of the convention, is particularly important for the purpose of delineating precisely the scope of the basic obligations as contained in article I.

I now turn to destruction and verification of chemical weapons and chemical weapons production facilities (articles IV and V). Articles IV and V, in conjunction with parts IV and V of the verification annex, contain detailed and rigorous provisions governing the destruction of chemical weapons and chemical weapons production facilities, including verification. Complete destruction is to be achieved within 10 years. Should a State party, in exceptional cases, for technological, financial, ecological or other reasons not be in a position to do so, the convention allows for the possibility of extending this time-frame by up to five more years. Furthermore, in exceptional cases of compelling need, article V permits States parties to convert, rather than destroy, chemical weapons production facilities, but only under strict conditions designed to prevent their possible reconversion. In both instances, rigorous additional verification measures are foreseen to prevent circumvention of the basic obligations.

Regarding routine verification of activities not prohibited under the convention, article VI, in conjunction with parts VI to IX of the verification annex, sets forth a comprehensive and graduated routine regime for international monitoring, through declarations and on-site inspections of "activities not prohibited under the convention", in particular in the chemical industry. The basis of the regime are three "schedules" or lists, contained in the annex on chemicals, identifying chemicals that either have been used as chemical weapons or are precursors to chemical weapons. Government and civilian facilities producing small amounts of schedule 1

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chemicals, i.e. chemical warfare agents, for certain approved purposes such as protective or medical research, are subject to the most rigorous verification measures under the provisions of article VI and part VI of the verification annex. Industrial facilities producing chemicals listed in schedules 2 and 3 are subject to the progressively less rigorous measures elaborated in parts VII and VIII of the verification annex. Finally, all other chemical production facilities deemed relevant to the convention fall under the limited reporting and conditional verification requirements of part IX of the verification annex. These provisions on verification in chemical industry, as they emerged after years of negotiations, reconcile various objectives: they are conducive to enhancing confidence and international cooperation, but not excessively ambitious in their verification goals; they can be administered with relative ease; and they are flexible and open to future adjustment in the light of practical experience gained. Verification in chemical industry aims at steady and continuous confidence-building; it does not provide for highly political action to answer concrete concerns about possible non-compliance. However, verification in chemical industry and the challenge inspection regime under article IX are complementary: smooth and efficient implementation of verification measures under article VI will greatly reduce the need for challenge inspections, which remain the ultimate safety net also to answer concrete concerns about possible non-compliance in industry.

I now come to challenge inspections (article IX). Article IX provides for consultative clarification procedures and, in conjunction with part X of the verification annex, for short-notice "challenge inspections". A State party may request a challenge inspection of any facility or location in the territory of another State party for the purpose of clarifying and resolving any questions concerning possible non-compliance. The request will then be "multilateralized" and the inspected State party must permit the technical secretariat to conduct the inspection and is obliged to grant the organization's inspection team access. However, there are a number of measures available to the inspected State party to protect those activities and installations from undue intrusion which it considers unrelated to the inspection request. The challenge inspection regime constitutes a novelty in the verification of a universally applicable arms control and disarmament treaty. Furthermore, it constitutes a politically sensitive concept which balances carefully the verification interests of a State party and of the international community and the interest of the inspected State party to protect sensitive information not related to the chemical weapons convention. It also balances national sovereign rights and the rights of the community of States parties as represented by the executive council and executed by the technical secretariat. The verification system of the draft convention, in particular the unprecedented instrument of challenge inspections, could become a basis of reference for other multilateral disarmament agreements or for the strengthening of existing verification regimes.

As far as economic and technological development is concerned, article XI aims at promoting expanded international trade, technological development and economic cooperation in the chemical sector. In this regard, negotiations focused on the question of export controls among States parties. The solution to the issue was found by adopting a flexible and dynamic approach which encourages the progressive removal of existing restrictions, evolving in

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parallel with the implementation of verification in chemical industry, thus taking into account the confidence generated by the convention. With regard to the pertinent provisions in article XI, attention is also drawn to the following statement by the Australian representative in the plenary of the Conference on Disarmament on 6 August 1992:

> "They [the members of the 'Australia Group'] undertake to review, in the light of the implementation of the convention, the measures that they take to prevent the spread of chemical substances and equipment for purposes contrary to the objectives of the convention, with the aim of removing such measures for the benefit of States parties to the convention acting in full compliance with their obligations under the convention."

I now come to assistance and protection against chemical weapons (article X). Article X is one of the built-in safeguards of the convention to protect States parties against the eventuality of the hypothetically continuing risk of being threatened or attacked by chemical weapons. It provides, inter alia, for the establishment of a voluntary fund for assistance by the conference of States parties; for assistance through the organization in case of the use or threat of use of chemical weapons against a State party; and for immediate emergency assistance directly from other States parties.

Turning to measures to redress a situation and to ensure compliance, including sanctions, article XII is the principal safeguard of the convention to protect States parties against violations of the basic obligations by other States parties. It provides the means to remedy any situation which contravenes the provisions of the convention. Under article XII, the organization may require a State party deemed not to be in full compliance with the convention to take remedial action and, in the event it fails to do so, apply a number of penalties including sanctions. In recognition of the United Nations Security Council's paramount responsibility for matters affecting international peace and security, cases of particular gravity are to be referred to the Security Council for any further, possibly mandatory, action under the United Nations Charter.

To implement the convention, an "organization for the prohibition of chemical weapons" will be established in The Hague, in the Netherlands. It will comprise: a "conference of States parties", composed of all member States, which will be the principal organ of the organization and will meet on an annual basis; an "executive council" where 41 States parties will be represented, which will have the day-to-day responsibility for supervising the activities of the organization; and, headed by a "director-general", a "technical secretariat", whose principal component will be the inspectorate responsible for carrying out the convention's verification activities. Negotiations focused in the last round on the question of the composition of the executive council. Very diverging or even contradicting interests had to be harmonized: the need for a relatively small and effective, but at the same time representative body; the interests of all future States parties to have a fair chance for participation in the work of the executive council; political and security interests; the particular interests of future States parties which, having large chemical industries, will be most affected by the

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implementation of the convention. The criteria for membership in the executive council, as they are specified in paragraph 23 of article VIII, balance these interests. They ensure that the membership of the executive council is broadly representative of the membership of the treaty. Members of each regional group will decide among themselves on the designation of executive council members from their region, taking into account the criteria specified in the convention. The regional groups shall also take into account regional factors in designating these members. By using a balanced approach, regional groups are given some flexibility in designating seats within the groups.

This ends my official introduction of the report of the Ad Hoc Committee on Chemical Weapons. I urge the Conference on Disarmament to adopt this report now and to incorporate it into its report to the forty-seventh General Assembly of the United Nations. Only in doing so will the CD respond adequately to the request of the forty-sixth General Assembly which I quoted at the beginning of my introductory statement. Thus, the endeavours of many generations of active and determined colleagues in the CD will finally be crowned with success.

You and your predecessors have achieved what you have been aiming at during long years. The political result is at hand. Tribute has to be paid to all who have contributed to this result. Not only the delegations, the Committee Chairmen of previous years, the Working Group Chairmen, the Friends of the Chair, the "Moderators", the "Advocates", the interpreters and translators, but also those in capitals who have provided the necessary flexibility for negotiating delegations should be thanked. The secretariat deserves particular gratitude for their untiring efforts to help and give advice. I therefore appeal to all of you: be proud of the convention which you have achieved. Protect it, if necessary; promote it, wherever you can, convince others to adhere to the convention and defend it against unjustified challenges. It is the result of your and your predecessors' endeavours through many years of hard work. Don't let anybody tell you that the result was not worth the effort; it was worth it and history will prove it.

The PRESIDENT (translated from French): I thank the Chairman of the Ad Hoc Committee on Chemical Weapons for introducing the report. I would like to congratulate him, on behalf of the Conference and on my own behalf, for the brilliant and effective manner in which he performed his functions as Chairman of the Ad Hoc Committee. His outstanding competence, his thorough knowledge of the subject, the patience and understanding which he demonstrated during the difficult negotiations, deserve our highest appreciation. Today he has presented us with an historic agreement, the first to be negotiated by the Conference in its present form. I now give him the floor once again for another statement on behalf of the delegation of Germany and a number of other countries.

Mr. von WAGNER (Germany): On behalf of the delegations of Algeria, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Cuba, the Czech and Slovak Federal Republic, Denmark, Greece, Hungary, Italy, Japan, the Republic of Korea, Mongolia, the Netherlands, New Zealand, Norway, Pakistan,

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Romania, the Russian Federation, Poland, Spain, Sri Lanka, Sweden, Switzerland and my own delegation, I would today like to address the issue of herbicides.

As delegations are aware, the Ad Hoc Committee on Chemical Weapons included in the preamble of the draft chemical weapons convention a paragraph recognizing the prohibition, embodied in the pertinent agreements and relevant principles of international law, of the use of herbicides as a method of warfare. The inclusion of such a preambular paragraph was generally acceptable. However, some delegations have stated that this reference is insufficient.

In the view of the delegations on whose behalf I have taken the floor today these differences of opinion can be overcome by reconfirming at this year's ENMOD review conference the understanding that the military or other hostile use of herbicides as an environmental modification technique having widespread, long-lasting or severe effects as the means of destruction, damage or injury to any other State party is a prohibited method of warfare under the ENMOD Convention. Indeed, the ENMOD Convention is one of the agreements to which the respective preambular paragraph of the draft chemical weapons convention refers.

It can be assumed from the text of the ENMOD Convention and the uncontested interpretative statement made by a State party that the military or other hostile use of herbicides as an environmental modification technique in the meaning of article II of the ENMOD Convention, if such a use of herbicides upsets the ecological balance of a region, thus causing widespread, long-lasting or severe effects as the means of destruction, damage or injury to any other State party, is a method of warfare prohibited by the ENMOD Convention. Furthermore, it should be noted that the complaints and investigation procedures in the ENMOD Convention provide for measures to address the possible use of herbicides as a method of warfare. Thus, it should be possible to reconfirm once and for all at the ENMOD review conference this year that the ENMOD Convention itself already outlaws the use of herbicides as a method of warfare in such a way as to cause widespread, long-lasting or severe effects.

The delegations on whose behalf I have the honour to speak will spare no efforts to promote this understanding at the forthcoming ENMOD review conference.

This ends the statement on behalf of the delegations I mentioned at the beginning. In my national capacity only I would like to add the following to the statement I just made. According to the information available to my delegation the uncontested interpretative statement made by a State party on the ENMOD Convention was delivered by the United States delegation on 20 April 1976 in the plenary of the Conference of the Committee on Disarmament. This interpretative statement reads as follows:

> "One question ... is whether the use of herbicides as an instrument for upsetting the ecological balance of a region would be prohibited. In our view, the convention would prohibit such use of herbicides as the means of destruction, damage, or injury if the effects were widespread,

(Mr. von Wagner, Germany)

long-lasting, or severe. An upset of the ecological balance of a region through the use of such techniques would be, at a minimum, a widespread effect. The convention would not, of course, affect the use of herbicides for control of vegetation within military bases and installations around their immediate defensive perimeters. I would note, in this connection, that in April 1975 the United States renounced as a matter of policy the first use in war of the herbicide applications that would be covered by the convention."

Mr. TOTH (Hungary): Mr. President, allow me first of all to congratulate you on your assumption of the presidency. We are very satisfied with the way you have been guiding the work of the Conference in the final stages of the 1992 session. I am convinced that your excellent diplomatic skills will help us through this very last day as well. Let me also extend our appreciation to your predecessors for their outstanding performance.

It is always a special occasion to address the Conference on Disarmament at the last plenary meeting of the annual session. These meetings offer an opportunity to take stock of the results of the work and to draw the appropriate conclusions. It can be stated today that after a number of frustrating years, the Conference has finally lived up to the expectations. It completed its work successfully on the comprehensive and global ban of chemical weapons.

The successful conclusion of this work was headed by a talented, skilful Chairman, Ambassador Adolf von Wagner of Germany. His qualities of perseverance and patience have had a real role to play. We certainly add our voice to the appraisals of his able team as well, whose energies cannot but be admired.

The banning of a whole category of weapons of mass destruction through an international legal instrument is by no means a negligible accomplishment. This long-sought achievement should give immense satisfaction to all negotiating parties even if there is a lingering feeling of unease on the part of a few delegations. The draft convention is the result of an incredibly long and - in its concluding phase - extremely intensive negotiating process. The time devoted to negotiating the draft certainly marks a new record that hopefully will never be beaten in the future. It is a grim reminder that no inventive thinking related to the solution of technically complex issues is sufficient if not backed by political will and resolve to come to agreement.

It is a paradox of multilateral diplomacy that reaching an agreement is inevitably accompanied by some dissatisfaction from each and every participant. The chemical weapons convention is no exception to that. There is no delegation in this room today who could proudly state that none of its favourite ideas had to be sacrificed during the final negotiating stages. Nevertheless, it is true that the level of disappointment or, on a positive note, the level of satisfaction is not the same for everyone. It was of decisive importance for delegations to recognize that the pattern of negotiations in 1992 were going to be absolutely different compared to the "negotiations for the sake of negotiations" type of approach of the

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previous 15 years. Those delegations which had realistic starting positions at the beginning of the endgame are in a more convenient situation now. At the same time, other delegations may have cornered themselves by failing to see the obvious and being unable to adjust negotiating positions in time and with the necessary flexibility. It is the evidently distorted perspective of such a self-inflicted situation that may present others as having special privileges. Only such a perspective could lead to a retrospective characterization of the negotiating process as unfair and non-transparent.

There is one conclusion to be drawn from the overwhelming majority of views expressed in the Ad Hoc Committee on Chemical Weapons and in the plenary meetings of the Conference. The draft chemical weapons convention is the best possible compromise that could be arrived at.

By nature, such a compromise cannot bring absolute satisfaction to any of the negotiating parties. We, for our part, would have envisaged a verification regime more stringent, better furnished with the ability to uncover possible non-compliance. We would also have liked to see more elaborate provisions on sanctions against States parties violating the convention. Situated in a region where perhaps the most important chemical weapons stockpile is to be destroyed, and being a country whose territory was used to stockpile chemical weapons, the provisions on destruction are not entirely satisfactory for us. The possibility of extending destruction deadlines and converting chemical weapons production facilities to purposes not prohibited under the convention cannot be considered as a happy outcome. Yet we were not oblivious of the problems faced by other negotiating parties either, and were prepared to join consensus on this issue as well.

My delegation found rather alarming the proliferation of statements that were to accompany the finalized draft of the chemical weapons convention. In our view, a much shorter factual summary of the work of the Ad Hoc Committee including the appropriate recommendations would have been more desirable. However, to maintain the political balance of opinions to be reflected in the report we felt obliged to associate ourselves with the views of a large number of countries as contained in the relevant parts of the report of the Ad Hoc Committee on Chemical Weapons. With regard to the statements that found their way into the report of the Ad Hoc Committee on Chemical Weapons, we are of the view that those statements have no authoritative status at the level of interpretation.

It is our firm belief that in spite of its imperfections, the chemical weapons convention - once universally adhered to - will be one of the major achievements of multilateral disarmament diplomacy. Its implementation will significantly contribute to global as well as to regional security. Hungary has a genuine interest to become party to this convention and will endorse the relevant resolution of the United Nations General Assembly commending it. We are also looking forward to the signature conference planned to be held in Paris upon the generous offer made previously by the Government of France.

With the conclusion of the chemical weapons negotiations much more time can now be devoted to consider the future of this important multilateral negotiating body. Any discussion should attempt to approach the issue in the

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wider context of multilateral disarmament. Since the Conference on Disarmament is an integral part of the multilateral disarmament machinery, any substantial change will have a bearing on the entire system. We believe that, in harmony with the agreement reached at the consultations on the improved and effective functioning of the Conference, informal consultations should be started right after the closure of the current session of the Conference. These contacts could be continued during the upcoming session of the United Nations General Assembly.

The political circumstances in which the Conference on Disarmament has to conduct its business have changed more rapidly and profoundly than any time in the past. So far, these changes have not had a direct impact on the proceedings of the Conference. It is inevitable, however, that their effects will become more and more apparent, and will be multiplied by the changes within multilateral disarmament itself. The chemical weapons convention is most probably the last dinosaur of its kind. Instead of aiming at global, all-encompassing, omnibus treaties we should give way in our thinking to more streamlined legal instruments as well, addressing smaller, compact and delimited areas where real progress is not necessarily preceded by yet another 15 years of prolonged discussions.

The problems of the Conference are partly procedural and partly political in nature. The intertwined relationship between form and substance is perhaps best characterized by the question of the expansion of the membership of this prestigious body. It is pretty clear to us that the formula for expansion arrived at in a totally different political environment is no longer applicable and will not provide a proper solution to the question. A much bolder approach is required if we are to satisfy the wishes of States knocking on the doors of the Conference on Disarmament. Their desire to fully take part in the work of the negotiating forum is justified in more than one way. Apparently, we have two options to address this issue. Either the Conference is opened up for unlimited membership, or we opt for a limited increase accepting the difficulties that such a solution might entail. The primary consideration should at all times be whether the chosen solution will serve best the envisaged functions of this organ.

Procedural improvements in themselves, however, will not be capable of providing the Conference with the new momentum it needs so desperately. The CD needs to readjust its substantive priorities to the needs of a changing world. In our view, sticking to the traditional perception of disarmament negotiations carries the risk for the Conference of sliding towards irrelevance and disharmony with the real world.

The main thrust of the activities of the international community in the field of security is directed towards the prevention of the outbreak of possible conflicts and adequate management of existing ones. This is also a field where future opportunities for this Conference lie. Adding the vast expertise of this forum in the field of multilateral security to the striving for fresh approaches will create a unique combination for elaborating new ways and means of conflict prevention.

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Translating this need into actual terms of the Conference calls for the review of the present agenda. We are positively convinced that some of the traditional issues, like the problem of a nuclear test ban or the question of security assurances, have not in the slightest way lost their significance. Other items, however, seem to have produced fruitless wrangling over the years or, in the extreme case, a silent acquiescence in the unchangeable. Hence, the review of the agenda must be twofold. On the one hand we have to boldly dispose of issues which used to have their role in the past but seem to have no future at all. On the other hand we have to identify certain new areas where the CD has the opportunities to meet the new challenges of the security environment. The CD should concentrate on a limited number of issues where results can realistically be expected. On other issues political support should be accumulated to a critical mass paving the way for meaningful negotiations on them.

In his address to the Conference on Disarmament early last year the Minister for Foreign Affairs of Hungary outlined some of the areas where the multilateral disarmament negotiating forum could have an important role to play in the future. It is a source of satisfaction that some of the areas mentioned by him have already found their recognition in the midst of this forum. I am referring to the questions of transparency in arms transfers and the wider aspects of non-proliferation. We are still of the opinion that the Conference on Disarmament could also play a meaningful role in the area of global confidence-building and it could serve as a clearing-house by providing a framework for the wider exchange of information on conventional disarmament and regional disarmament measures.

For this latter purpose some sort of institutional links should be established between the multilateral disarmament machinery and the regional structures of security cooperation. I have in mind among others CSCE. These links could provide excellent opportunities for the mutual exchange of information and ideas in the appropriate fields and in turn would have a cross-fertilizing effect. Expertise accumulated in global disarmament matters could be exploited in relevant regional efforts and vice versa. It is obvious that both structures would mutually benefit from such an organic relationship.

The challenges ahead of the Conference on Disarmament are manifold. Meeting them successfully requires a common endeavour from each and every delegation. My delegation is ready to join others in such a common endeavour.

The PRESIDENT (translated from French): Thank you, the representative of Hungary, for your statement and the words of encouragement you addressed to me. I now give the floor to the representative of India, Ambassador Shah.

Mr. SHAH (India): Mr. President, I have already had occasion to express my delegation's appreciation for the manner in which you have guided us during this crucial phase of the work of the Conference on Disarmament.

India's commitment to a global ban on the production, stockpiling, acquisition, retention and use of chemical weapons is well known. We have made every effort to achieve that goal. Such a global convention is now

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finally within our reach. We owe Ambassador Adolf von Wagner a debt of gratitude for his outstanding contribution as Chairman of the Ad Hoc Committee to the negotiation of this convention.

Both bilaterally and in multilateral forums, India has reiterated its resolve to become a State party to the convention. At the Ad Hoc Committee meeting on 21 August 1992, my delegation expressed its willingness to support the draft text and agree to forward it for consideration of the Conference on Disarmament, with a positive recommendation, to the United Nations General Assembly. My delegation also stated that we are doing so despite the fact that the draft convention contained in document No. WP.400/Rev.2 is not entirely satisfactory and a number of its provisions could have been refined and improved to take into account the concerns of several developing countries, particularly in regard to their economic and technological development.

We still have lingering apprehension on this score. We believe that any intention to continue a dual regime of controls after the convention comes into force would expose those who maintain such a dual regime to charges of insincerity. We are firmly of the view that the convention should not be used, under any circumstances, to deny the developing countries unhindered access to peaceful technology in the chemical field or the supply of chemicals, equipment and material. We are opposed to the continuation or maintenance of trade controls/regimes outside the convention. We believe that all existing discriminatory restrictions on trade relating to scheduled chemicals as well as equipment should be removed immediately on the convention entering into force. We see no place, after the convention enters into force, for restrictions on international cooperation or for export controls by States parties acting separately or together outside the convention.

The convention contains effective measures to prevent any form of proliferation of chemical weapons. It has provisions for sanctions against potential violators. There is, therefore, no reason why States parties to the convention should continue to be subjected to these unilaterally imposed punitive control regimes outside the convention. At the plenary meeting of the CD held on 6 August 1992, we heard a statement by Ambassador Paul O'Sullivan of Australia, speaking on behalf of the members of the Australia Group present in the CD, through which they undertook to review their existing national regulations in the field of chemicals and equipment to meet this aim and to contribute actively to an increase in commercial and technological exchanges between States parties to the convention. It is our earnest hope that the commitment underlying the statement will be carried out fully and promptly. We also hope that the "Australia Group" will dissolve itself both in letter and in spirit. We believe that such action would promote healthy universality and credibility for this convention.

It is recognized that verification is essential in a convention of this nature to provide the assurance that provisions are not being violated and that obligations assumed by States parties are being complied with. However, we apprehend that the verification provisions of the convention place a higher and an unnecessary burden on the civilian chemical industries of developing

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countries and will increase the cost, thereby affecting the economic viability of the chemical industry in developing countries. The requirement for declaration and verification of a large number of small chemical facilities which have no relevance to chemical weapons is yet another unnecessary burden imposed on developing countries. Also, the challenge inspection procedures do not eliminate the danger of abuse which my delegation has repeatedly pointed out during the course of our discussions. The extremely short time-limits are clearly recognized as difficult to implement and we are encouraged by the statement from the Chairman of the Ad Hoc Committee that the provision on the 12 hours' notification time is not intended to make it impossible for the inspected State party to fulfil the obligations under the convention. We hope that this will be fully taken into account by all those who may feel compelled to initiate challenge inspection against other States parties.

It is indeed significant that the next review of the nuclear non-proliferation Treaty will follow closely the coming into force of the chemical weapons convention which bans the development, use, stockpiling and production of chemical weapons. On many earlier occasions, I pointed out that the nuclear non-proliferation Treaty has been unable to prevent either massive increases in nuclear weapons or an increase in the number of nuclear-weapon States or tenuous control over the nuclear trigger. Many more nations possess the technology to produce nuclear weapons now than when the NPT was signed. The real issue today is not the NPT or its extension; the real issue is how to put an end to proliferation and eliminate nuclear weapons. As the Prime Minister of India has pointed out, there is a need for an international dialogue to review the NPT to plug existing loopholes and make it foolproof. To pretend that the only way to achieve non-proliferation is to indefinitely extend the NPT, which is discriminatory and imperfect to begin with, and which has proved demonstrably ineffective in preventing proliferation either of nuclear weapons or of nuclear-weapon Powers, is to bury one's head in the sand and to ignore reality. If the international community is capable of achieving a convention to ban chemical weapons, there is no reason to believe that, given the political will, it will not achieve a similar convention to ban nuclear weapons. This is where the sincerity and seriousness of purpose with which the international community approaches the issue of non-proliferation will be tested, and the test will come when the NPT review conference takes place. Surely, if the only purpose of the review conference is to extend the NPT indefinitely in its present discriminatory, imperfect and unrealistic form, one wonders why the world's resources, time and energy need to be spent on first preparing for and then holding a review conference which will not "review" the NPT. In my judgement, the review conference provides a golden opportunity to seriously look at the problem of proliferation, to amend the Treaty provisions, its role and its relevance in the context of the overall objective of achieving genuine non-proliferation and of eliminating nuclear weapons, in the same manner as the elimination of chemical weapons is sought to be achieved through the chemical weapons convention. I can only hope that the international community will grab this opportunity with both hands to make the NPT truly comprehensive, universal and non-discriminatory.

This brings me to the question of the role of the Conference on Disarmament after the chemical weapons convention. Many delegations have asked this question and some have endeavoured to answer it by asking for a

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review of the agenda. It sometimes baffles me to hear people make a strong case for reviewing the agenda of the CD, established with great care and deliberation some years ago, on the ground that it is outdated, while maintaining that no review is necessary of the even more outdated non-proliferation Treaty. Surely, if changes in the global political situation and the end of the cold war impact on the disarmament agenda, the same cannot be the case as far as the NPT is concerned. We recognize that reluctance to review anything carries with it the risk of blinding ourselves to reality. In my view, any review of the agenda must include consideration of what is not in the agenda but is more important than the agenda, namely, reluctance to give a negotiating mandate to the CD on a number of issues which cry out for a forum for negotiations. My delegation has never understood why countries should fear negotiations in the CD. The experience of the Conference on Disarmament in negotiating the chemical weapons convention is proof that the CD can negotiate important international treaties and conventions on agenda items before it, that no member of the CD needs to fear that its viewpoints will not be reflected in any negotiations, that negotiations can be held in the CD in a constructive, fair and useful manner reflecting the opinions, views and concerns of all countries.

There is nothing wrong with the CD and there is no need to worry about life in the CD after the CWC. The malady, if at all, lies in excessive caution and the lack of political will to allow the CD to fulfil its role as a negotiating forum. And if anybody has any doubts about the CD's agenda, let me venture to suggest that you will never go wrong if you select agenda item 1, namely an NTB, for negotiations next year.

As the annual session draws to a close, it is also time for me to say goodbye. My apprenticeship in the CD began just over a year ago. It has been both exhilarating and confusing. I began to worry about it until I was told that in Geneva if you are confused, it means you are well informed. I take solace in this pearl of Geneva wisdom. Permit me to end on a personal note. I am leaving the CD with fond memories and a touch of regret. It is due as much to the cooperation and friendship I have received from everyone here as to the content of our work. My gratitude to all my colleagues and members of their delegations and my good wishes for success in your work in the CD.

The PRESIDENT (translated from French): Ambassador Shah has just delivered his last statement to the Conference as representative of his country. I would very much like to emphasize his important contribution to our work from the moment he arrived in Geneva when he chaired the last meetings of the Ad Hoc Committee on a Nuclear Test Ban. He has devoted a great deal of effort to this subject during his stay with us, in particular this year in his capacity as special coordinator on agenda item 1. The Conference very much appreciated his work in bringing positions closer together on the future mandate of the Ad Hoc Committee. We are grateful to him for the progress made, which will facilitate the work on this agenda item, which is still a priority one, during the annual session in 1993. Ambassador Shah has been an effective and very skilful negotiator who managed to present his Government's viewpoint with remarkable competence during the negotiations on the draft convention prohibiting all chemical weapons. His contribution to the conclusion of this agreement, which I have just described

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as historic, was very much appreciated and this should be emphasized. Ambassador Shah is leaving the Conference to take up a new post as representative of India in a major country which is very active within the Conference. On behalf of the Conference and on my own behalf, I wish him the success he deserves with his talent as an experienced diplomat, and I would like to ask him to convey our very best wishes to Mrs. Shah. I now give the floor to the representative of Pakistan, Ambassador Kamal.

Mr. KAMAL (Pakistan): Mr. President, let me extend my best wishes to you on your presidency on this important last day of this year's session and on the onerous tasks that you have undertaken during the inter-sessional period, and to assure you of my delegation's full cooperation.

I have already had the occasion of expressing, in the Ad Hoc Committee on Chemical Weapons, my Government's serious reservations on certain provisions of the draft of a chemical weapons convention contained in the appendix to the report of the Ad Hoc Committee on Chemical Weapons to the Conference on Disarmament. These have been incorporated in the report of the Ad Hoc Committee which has come up for the consideration of the Conference on Disarmament this morning. Nevertheless, in view of the importance of these reservations, some of them bear repetition before the Conference itself.

Let me, at the outset, state again that Pakistan neither possesses chemical weapons nor desires to acquire them. We have always had a deep and abiding interest in a comprehensive, effective and equitable treaty which would prohibit the development, stockpiling, acquisition and use of chemical weapons, and ensure the total destruction of their existing stockpiles, facilities and delivery systems. Our commitment to conclude the convention banning chemical weapons is predicated on our desire to exclude any possibility of the acquisition of this abhorrent means of warfare by any country, and particularly by developing countries situated in regions of tension. In such countries, the competing demands of national security and socio-economic development on scarce available resources compel them to allocate ever larger outlays for defence, thereby reducing their capacity to provide inputs for essential social and developmental projects. By eliminating one avenue of defence expenditure for such countries, we would be helping them break out of the vicious circle of insecurity, spiralling arms levels, and underdevelopment. It is in this context that we have reiterated our interest in a chemical weapons convention which meets our essential security and economic interests in the Joint Declaration signed between the Foreign Secretaries of India and Pakistan recently.

We have been discussing the question of a chemical weapons ban in the Conference on Disarmament for more than two decades. During the last few years, it became the most important and promising area of our work. While we have capitalized on the international consensus on the urgent need for a non-discriminatory, comprehensive, verifiable, effective, and truly global convention, in intensified negotiations during the current year, the results of our efforts, however, have not been entirely satisfactory. The draft text that has been annexed to the report contains provisions which have the potential of great misuse and abuse, particularly with reference to

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non-relevant facilities and locations, thereby undermining confidence in the future convention. Our particular concerns in this regard relate to articles II, VI and IX.

The definition of chemical weapons as contained in article II is extremely wide, lacks precision and contains elements which can easily be exploited to misuse and abuse the provisions of the convention. A proposal to rectify this inherent shortcoming was submitted by a group of 12 developing countries, but was not incorporated in the Chairman's revised draft text. We have, however, taken note of the Chairman's explanatory statement which may plug this loophole to some extent, and hope that the spirit in which it has been issued will be respected by all delegations.

Provisions relating to verification and compliance, as contained in articles VI and IX, constitute the backbone of the convention, as they would establish the means of providing confidence in its implementation and in deterring violations of its provisions. In establishing such system of verification it was necessary that a proper balance be struck between the requirements of intrusiveness and deterrence on the one hand, and safeguards against abuse of procedures, on the other. Regretfully this balance was not achieved, and we have been presented with a text in which intrusiveness and deterrence have been accorded a much higher priority than safeguards against abuse. This potential for misuse and abuse of the provisions of articles VI and IX could have been prevented had the amendments proposed by the group of 14 developing countries been incorporated into the draft text. The shortcoming has been compounded into the draft text. The shortcoming has been compounded further by emasculating the potential of the executive council in playing its due role in overseeing the implementation of the provisions of article IX.

During the destruction period, the security of non-chemical-weapon possessors, who would have forgone their chemical weapons option from the very entry into force of the convention, would be at greatest risk from the use or threat of use of chemical weapons. The existing imbalance, which gave holders of chemical weapons a full 10 years to destroy their stocks, with no provisions incidentally for any qualitative approach to destruction, has been increased by including a new provision allowing for a possible extension of the destruction period by an additional 5 years. This addition was made in a totally non-transparent manner, without taking into account the views of non-chemical-weapons possessors who are likely to be affected the most by its provisions.

Our views regarding the formula for the composition of the executive council are well known. We favour a principle of equitable geographical distribution, and believe that each geographical group has the right to nominate its members to the executive council, using criteria which each group deems most appropriate. While the industrial criterion is certainly an important consideration for membership of the executive council, it cannot be placed on a higher plane than other criteria, which differ from region to region. We cannot, in any case, accept the concept of permanent seats in the

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executive council. It should be left to the States of each region to take these different considerations into account while nominating members of the executive council.

The provisions of article X, which are the negative security assurances for non-chemical-weapons possessors, still contain a serious drawback in that emergency assistance in the case of the use or threat of use of chemical weapons has been left to be provided at the discretion of individual States parties, without the automaticity that is essential in such cases. In this fashion, surprisingly, the launching of challenge inspections on the basis of a mere suspicion of possible violation of the convention has been accorded higher priority than has been given to cases of even actual use of chemical weapons.

The balance between deterrence, on the one hand, and economic and technological development, on the other, in article XI, has also not been established in a manner which meets the concerns of the vast majority of developing countries. No categorical assurance has been provided that the Australia Group would be dismantled once the convention enters into force. Instead we have been presented with a statement of intent, which is open to interpretation, and which is couched in conditionalities of a purely subjective nature. In fact, we notice that additional provisions regulating the trade in chemicals have been incorporated in the draft text, with serious economic implications for developing countries.

This is not the first time that we have put forward our serious reservations on many of these provisions in the draft text. Throughout the final phase of negotiations we pointed out these shortcomings, and exhibited a will to negotiate on all those issues with a view to finding proper solutions. Along with the group of 14 developing countries, we also pleaded with the Chairman of the Ad Hoc Committee to let the negotiations run their course for a few more days. To our regret this was not done, and instead we were confronted with a head-long rush to meet a non-relevant deadline. In the process we have ended with a draft text which ignores the legitimate concerns of some delegations, and with an adverse impact on their security.

However, despite these reservations and concerns, my delegation will not stand in the way of any emerging consensus in the Conference on Disarmament to transmit the draft text of this convention to the General Assembly of the United Nations for its consideration.

In conclusion, my delegation would like to pay tribute to the different chairmen who have steered the negotiations in the Ad Hoc Committee on Chemical Weapons over the past several years, and to the Secretary of the Ad Hoc Committee, whose personal knowledge of the issues and association with the negotiations over almost a decade have been of invaluable assistance to all delegations over this period.

Mr. AMORIM (Brazil) (translated from French): First of all, Mr. President, allow me to address the compliments of my delegation to you on your appointment as President of the Conference on Disarmament. It is a source of satisfaction to us to see the representative of Belgium conducting

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the business of the Conference at a time when we have to conclude our work and submit the report to the General Assembly. I must also mention the very special nature of the report that we will submit this year, because it will have a valuable annex, the convention on chemical weapons, one of the most important documents ever negotiated by this Conference. My country has already expressed its support for this text, and although, without a doubt, it is the major subject of today's meeting, I am not going to tire you with a repetition of our views, which have already appeared in the report of the Ad Hoc Committee in any event. All the same, I wish to express my gratitude and the gratitude of my Government for the excellent work done by Ambassador von Wagner.

(continued in Spanish)

This is a special day for myself and the entire delegation of Brazil as we see the Conference welcoming the new representative of Argentina, Ambassador Juan Archibaldo Lanús, a friend we admire and respect, an intellectual dedicated to the study of international relations, a professional of the first rank. His presence will enrich the Conference. We welcome him and offer him the full cooperation of our delegation.

It is a source of great satisfaction for me to take the floor on behalf of the delegations of Argentina, Chile and Brazil in order to made reference to the process of amendment of the Treaty for the Prohibition of Nuclear Weapons in Latin America, the Treaty of Tlatelolco. On 26 August last, the fourth meeting of the signatories of the Treaty of Tlatelolco and the seventh special session of the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, OPANAL, were held in Mexico City. At the meeting of signatories the delegation of Mexico, together with Chile, Brazil and Argentina, submitted amendments to articles 14, 15, 16, 19 and 20 of the Treaty, which are of interest to our countries. Subsequently, at the special session of the OPANAL Conference, a resolution adopting the aforementioned amendments and opening them for signature was passed by acclamation.

In mentioning the historic importance of the process of amending the Treaty of Tlatelolco, I wish to remind you that Latin America was the first region in the world to declare itself a nuclear-weapon-free zone. The campaign against proliferation is a characteristic tradition in our continent, which has given rise to a number of initiatives that make it impossible for the countries of the region to resort to any sort of weapon of mass destruction.

A major initiative in this sphere was the Mendoza Agreement, adopted by Argentina, Brazil and Chile in September 1991, which confirms the complete prohibition of chemical and biological weapons. Uruguay, Paraguay, Bolivia and Ecuador have also signed the Agreement. We sincerely wish to see bilateral and regional initiatives for the prohibition of chemical weapons proliferate and lead to the rapid attainment of the objective already proclaimed by a large number of countries, the adoption of the convention on the prohibition of chemical weapons, the negotiating process on which has just been completed by the Conference on Disarmament.

(Mr. Amorim, Brazil)

In the nuclear sphere, the use of atomic energy for exclusively peaceful purposes is a right claimed repeatedly by Latin American countries. Well-known in this regard are the initiatives taken by Brazil and Argentina, such as the bilateral agreement on the exclusively peaceful uses of nuclear energy and the safeguards agreements between the two countries and the International Atomic Energy Agency. The process of amending the Treaty of Tlatelolco, and the prospect that it will soon enter into force fully for all States parties, serve to strengthen the non-proliferation regime that already existed de facto in our region. The amendments we tabled are of a technical nature. They in no way affect the principles and purposes of the Treaty. It was our intention in putting them forward to contribute to enhancing the implementation of the articles in question, which as you know refer to the important question of the verification regime. In addition the safeguards regime overseen by IAEA, as the international body for monitoring the peaceful applications of nuclear power, will be strengthened.

It is with satisfaction that I repeat the very special thanks of Brazil, Argentina and Chile to the Government of Mexico for its effective initiatives, decisive role and on-going cooperation, which made possible the rapid conclusion of the process to amend the Treaty of Tlatelolco. The initiatives of the Government of Mexico were essential for us to meet our political commitment to ensure the full application of the Treaty of Tlatelolco. This commitment was expressed in the following statement made by our Governments at the end of the amendment process, also on 26 August.

> "The Governments of the Argentine Republic, the Federative Republic of Brazil and the Republic of Chile,
>
> "Considering that article 28, paragraph 2, of the Treaty for the Prohibition of Nuclear Weapons in Latin America provides that all signatory States shall have the imprescriptible right to waive, wholly or in part, the requirements laid down in article 28, paragraph 1, and that they may do so by means of a declaration which shall be annexed to their respective instrument of ratification and which may be formulated at the time of deposit of the instrument or subsequently,
>
> "Declare that, as soon as the three countries complete the procedures of ratification of the text of the Treaty for the Prohibition of Nuclear Weapons in Latin America, as amended, they shall waive all those of the requirements referred to in article 28, paragraph 1, of the Treaty which are not yet met."

The PRESIDENT (translated from French): I thank the representative of Brazil for his statement and for his kind works addressed to me. I now give the floor to the representative of China, Ambassador Hou.

Mr. HOU (China) (translated from Chinese): Mr. President, please allow me at the outset to warmly congratulate you on behalf of the Chinese delegation on taking up the important post of President of the Conference. I am convinced that with your rich diplomatic experience and outstanding skill you will surely guide and accomplish the work of the Conference most efficiently in the last phase of the current session. I can assure you of the

(Mr. Hou, China)

full cooperation of the Chinese delegation. At the same time, I would like also to thank your predecessor, Ambassador Paul O'Sullivan of Australia, for his contribution.

I would like to avail myself of this opportunity to welcome sincerely our new colleagues who have recently taken up their posts at the Conference. They are Ambassador Sir Michael Weston of the United Kingdom, Ambassador Yoshitomo Tanaka of Japan, Ambassador Bernard Goonetilleke of Sri Lanka, Ambassador Don Nanjira of Kenya, Ambassador Ludwik Dembinski of Poland and Ambassador Juan Archibaldo Lanús of Argentina. I look forward to continued constructive cooperation with them. Meanwhile, please allow me to extend my best wishes to our colleagues and friends who have just left us - Ambassador Solesby of the United Kingdom, Ambassador Donowaki of Japan, Ambassador Rasaputram of Sri Lanka and Ambassador Ogada of Kenya, as well as Ambassador García Moritán of Argentina, Ambassador Negrotto Cambiaso of Italy and Ambassador Shah of India, who are leaving us to assume important posts.

From 17 to 19 August, a United Nations conference on disarmament and security issues in the Asia/Pacific region was successfully held in Shanghai, China. High-level Government officials and renowned experts and scholars from many countries met to examine such topical issues as the security situation and disarmament in the 1990s in the world in general and in the Asia/Pacific region in particular. On 17 August, State Councillor and Foreign Minister Qian Qichen made an important statement at the opening session of the Conference. Today I have the honour to outline his statement, and I would like to thank the secretariat for circulating its full text. In his statement the Foreign Minister addressed numerous important issues, and stressed inter alia the following.

At present, the international situation is undergoing unprecedented changes. Such changes are very rare in peacetime. The bipolar pattern and half a century of East-West military confrontation have come to an end. These changes are conducive to the prevention of a new world war. However, they have not brought peace and tranquillity to the world. The old contradictions and conflicts are yet to be eliminated. As the equilibrium of forces in the world has been seriously disrupted, contradictions which were either hidden or relatively inconspicuous in the past have rapidly deteriorated into sharp and sanguinary conflicts or even local wars. The international situation has become all the more complicated, turbulent and volatile.

During the current historical transitional period, with major changes taking place in the global pattern, the future of the world and the evolution of international relations largely depend on the nature of a new international order to be established. We believe that to establish a fair, rational and stable new international political and economic order on the principles of mutual respect for sovereignty and territorial integrity, mutual non-aggression, non-interference in each other's internal affairs, equality and mutual benefit and peaceful coexistence is the only way to ensure the independent and equal status of all countries, their peaceful coexistence, mutually beneficial cooperation and common development, and to lay a solid foundation for lasting world and regional peace, stability and security.

(Mr. Hou, China)

Five initiatives to promote Asia/Pacific regional disarmament, security, peace and development in an all-round way are as follows: first, in developing relations, with one another, Asia/Pacific countries should strictly abide by the United Nations Charter and the five principles of peaceful coexistence, respect each other, treat each other with sincerity, cooperate with each other on an equal footing and live in amity. They should join their efforts to turn the Asia/Pacific region into one of peace, security, good-neighbourliness and prosperity.

Secondly, none of the Asia/Pacific countries should seek regional or subregional hegemony or establish spheres of influence, set up or participate in a military bloc directed against another country, build military bases on foreign soil or station its troops abroad. Nor should it infringe upon the sovereignty and territorial integrity or interfere in the internal affairs of other countries under whatever pretext.

Thirdly, all of the Asia/Pacific counties should commit themselves to developing good-neighbourly and friendly relations with their neighbours. They should settle territorial and border disputes as well as other problems left over from history though peaceful consultations in accordance with relevant international conventions and United Nations resolutions instead of resorting to force or the threat of force.

Fourthly, none of the Asia/Pacific countries should engage in any form of arms race. The defence capabilities of each country should be kept at a level commensurate with its legitimate defence needs. Those countries with the largest nuclear arsenals and arsenals of the most sophisticated conventional weapons should continue to bear special responsibility and fulfil corresponding obligations in disarmament.

Fifthly, Asia/Pacific countries should increase economic exchanges and cooperation to promote common prosperity and development.

China pursues an independent foreign policy of peace. It has made maintenance of peace in the region and the world at large the overarching goal of its foreign policy. China upholds the principled stand of opposing hegemonism and power politics and will not seek hegemony and spheres of influence. China has always attached great importance to and actively participated in the disarmament efforts of the international community. It stands for effective disarmament and arms control in a fair, reasonable, comprehensive and balanced manner. It has all along been in favour of complete prohibition and thorough destruction of nuclear, biological, chemical and space weapons. The possession by China of a limited number of nuclear weapons is solely for the purpose of self-defence. Besides, China has unilaterally undertaken not to be the first to use nuclear weapons and not to use nuclear weapons against non-nuclear States and regions. It supports non-proliferation of nuclear weapons and other weapons of mass destruction. It has formally acceded to the NPT Treaty and agreed to observe the MTCR. It has actively participated in the negotiations on the chemical weapons convention and hopes to see the convention concluded at an early date.

(Mr. Hou, China)

The CW convention is an important priority item on the agenda of the Conference. Negotiations on the convention have lasted many years in the Conference. Now we are pleased to see that with the joint positive efforts of all the CD members and energetic support from the international community, the negotiations have finally made important headway this year. On 26 August the Ad Hoc Committee on Chemical Weapons made a decision and agreed to transmit its report and the appendix thereto containing the draft convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction to the Conference for its consideration. China joins the consensus.

On such an important and meaningful occasion, please allow me on behalf of the Chinese delegation to pay tribute to you, Mr. President, and the successive chairmen of the Ad Hoc Committee, particularly the Chairman this year, Ambassador von Wagner of Germany, as well as all the delegations for the contributions made in this respect. We also would like to thank the CD Secretary-General, Mr Berasategui, and the Secretary of the Ad Hoc Committee, Senior Political Officer Bensmail, as well as their assistants, who have worked diligently and quietly and have made an outstanding contribution.

Today I am instructed by my Government to make and place on record the following statement of position on the Ad Hoc Committee's report and its appendix containing the draft convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction. The complete prohibition and thorough destruction of all chemical weapons and their production facilities have always been the common aspiration and urgent demand of the international community, and should naturally constitute the basic objective and purpose of the negotiations on the CW convention in the Ad Hoc Committee and the Conference. As a non-chemical-weapon State and a victim of the scourge of foreign chemical weapons, China has always stood firmly for the early conclusion of the CW convention in conformity with the above-mentioned objective and purpose so as to free mankind forever from the horror of these weapons of mass destruction and greatly contribute to international peace and security.

The Chinese Government has always pursued an independent foreign policy of peace and made unflagging efforts for the maintenance of international peace and security. Therefore China has always attached great importance to, actively participated in and made its due contribution to the CD negotiations on the convention. China will continue to work with other countries in a joint effort for the early realization of a chemical-weapon-free world.

Taken as a whole, the report and its appendix containing the draft CW convention adopted by the Ad Hoc Committee on Chemical Weapons represent the result of years of negotiations in the Conference and the Ad Hoc Committee on CW and reflect the current complex situation where those negotiations have made important headway but some divergences still remain. This draft contains some positive parts on which years of negotiations have culminated in consensus which conforms to the fundamental objective of the complete prohibition and thorough destruction of all chemical weapons and, if fully implemented, will play a positive role in the maintenance of international peace and security. For example, article I of the draft convention expressly

(Mr. Hou, China)

stipulates that States parties possessing chemical weapons undertake to destroy all their chemical weapons and their production facilities and that each State party undertakes never under any circumstances to develop, produce, otherwise acquire, stockpile or retain or use chemical weapons. It is particularly worth noting that this article also provides in clear-cut terms that "each State Party undertakes to destroy all chemical weapons it abandoned on the territory of another State Party, in accordance with the provisions of this Convention". Obviously, the important provisions on the abandoning State undertaking to destroy all the chemical weapons it has abandoned on the territory of other States are just, reasonable and balanced. In the view of the Chinese Government, it is an essential guarantee of the realization of the fundamental objectives of the convention for the relevant States parties to fulfil without reservation or delay these obligations of international law they have undertaken.

Meanwhile, under Government instructions I wish to point out once again here that this draft convention has not reflected adequately the just demands and reasonable propositions of numerous developing countries, including China. It contains some drawbacks and lacks balance in the provisions on a number of important issues. China cannot but express its concern over and reservations on these drawbacks. In China's view the main drawbacks of the draft convention are, inter alia, as follows: firstly, its scope of verification of chemical industry is too broad. An extremely large number of chemical facilities not relevant to CW are subject to declaration and verification where there is no such necessity at all. This will create grave difficulties for and interference in the chemical industry of developing countries and adversely affect the effective verification of chemical facilities truly relevant to the convention. Secondly, it places excessive emphasis on making challenge inspection extremely intrusive and short-noticed, and overlooks the danger of abuse and the necessity to prevent abuse of the right to request such an inspection. This will threaten the legitimate rights and interests of developing countries. It goes without saying that no sovereign State will allow its vital security rights and interests of no relevance to chemical weapons to be harmed in any way. Thirdly, its provisions on the extension of the CW destruction period, modification of the order of destruction and permission to convert some CW production facilities do not serve the early realization of the convention's fundamental objective.

China, like many other countries, feels concerned that these drawbacks would adversely affect the universality and effectiveness of the convention. Therefore, we still sincerely hope that, through constructive consultations and negotiations in the future, outstanding differences can be ironed out and drawbacks in the draft convention removed, to contribute to the early and complete realization of the fundamental objective of the convention.

The Chinese delegation would like to reaffirm that China has always been in favour of the basic objective and purpose of the convention on the complete prohibition and thorough destruction of chemical weapons, and has made unrelenting efforts towards these goals. Therefore, proceeding from the overall consideration of the maintenance of international peace and security,

(Mr. Hou, China)

China, being a big developing country, is ready, as it was in the Ad Hoc Committee on Chemical Weapons on the adoption of the Committee's report, to join the consensus on the report of the Conference and its appendix containing the draft convention on the prohibition of chemical weapons.

The PRESIDENT (translated from French): Thank you, Ambassador Hou, for your statement and for the kind words you addressed to me at the beginning of your statement. Due note will be taken of your statement, which will be reproduced in the verbatim record of the plenary meeting. I now give the floor to the representative of France, Ambassador Errera.

Mr. ERRERA (France) (translated from French): Mr. President, I have already had occasion last week to offer you my warmest wishes for success in your important task.

Each one of us is aware that we are experiencing an important day. Important, first of all, for disarmament: the decision that the Conference is about to take to endorse the draft treaty for the prohibition of chemical weapons and transmit it to the forty-seventh session of the United Nations General Assembly is indeed historic. For the first time, a treaty of universal scope accompanied by an unprecedented verification regime provides for the complete elimination of an entire category of weapons of mass destruction. In that respect, the convention can be regarded as the first genuine universal disarmament treaty. At a time when the international community is more determined than ever to combat the proliferation of weapons of mass destruction, the convention is sending a clear signal: a signal of dissuasion for anyone who might be toying with the idea of acquiring a chemical-weapon capacity; a signal of security for the vast majority of countries that abide by their commitments and rightly expect, in return for the constraints they accept, to enjoy a strengthening of their security and better conditions in which to develop their chemical industry.

It is also a happy day for the Conference on Disarmament, which can be proud of having been the body which successfully negotiated such a treaty. From this success, we can draw at least two lessons. First, that where the will of States exists, the Conference is capable of attaining ambitious objectives, carrying out the mission entrusted to it and remaining faithful to the calling which it has and must retain: to be the body in which multilateral agreements are effectively negotiated, however difficult, however complex, however demanding these may be. The second lesson is that consensus, the fundamental rule of the Conference, has demonstrated its merits. Far from constituting an obstacle to success, the need for consensus permitted the necessary compromises, justified the essential concessions and proved to be the thread of the common effort enriched by the contributions of non-members. Consensus thereby paved the way to universality. We shall have to bear these points in mind when we decide on the best way of enabling the Conference on Disarmament to respond to the new international environment with a larger membership, an appropriate agenda, renewed methods of work.

Lastly, today is a noteworthy day for the new type of international relations to which we all aspire, where everyone's security, generally speaking, will be increasingly assured not by unilateral actions but through

(Mr. Errera, France)

multilateral endeavours, not by imposed actions but by agreed decisions, on the basis of broad consensus. The best way of getting everyone to agree to the common rule is still, where possible, to draw it up jointly and to give the international organization responsible for implementing it the power to see that it is enforced. For this reason too the treaty for the prohibition of chemical weapons is an encouraging precedent.

We should now look to the future. The future means first of all an effort to ensure that the convention enjoys as far as possible universal support at the forthcoming United Nations General Assembly, so that the largest possible number of States sign it from the outset. It is true that several delegations have expressed some hesitation on certain points of the treaty. They are not alone. It is no secret to anyone that France, like many other countries, would by far have preferred a challenge inspection regime that was more intrusive, more dissuasive, and therefore better able to ensure security for all. It agreed to compromise so as to arrive at an agreement acceptable to all. It therefore calls upon those to whom these concessions were directed to become part of the common momentum and thus help to enhance international security. This is no time for recriminations or warnings. It is incumbent upon each of us to shoulder our responsibilities and do everything in our power to ensure that this treaty, drafted in our small body, receives the support of the largest possible number of States.

Let us be proud of the common effort and work together so that this first genuine multilateral disarmament treaty becomes truly universal. The message that we convey to the international community in New York must be clear: the treaty prohibiting chemical weapons is a good treaty. It takes into account the security interests of all. It constitutes the first significant step in a collective endeavour to eradicate weapons of mass destruction. It must be universal. In this context, I am pleased to confirm to the Conference on Disarmament today the invitation extended by the President of the French Republic to the ceremony for the signature of the treaty for the prohibition of chemical weapons in Paris, at the beginning of 1993.

I wish finally to repeat here how delighted my country is that the negotiations on the convention succeeded under the chairmanship of the representative of Germany, a country with which France shares a common destiny in Europe. It is right and proper to pay tribute to the impartiality, the fairness, the transparency, the persistence, the energy with which Ambassador von Wagner and his whole delegation successfully completed this task, in the interests of all.

The PRESIDENT (translated from French): Thank you, Ambassador Errera, for the kind words you have just addressed to Ambassador von Wagner and at the beginning of your statement to myself. I now give the floor to Ambassador Semichi, the representative of Algeria.

Mr. SEMICHI (Algeria) (translated from French): This is a particularly solemn occasion and the Algerian delegation would also like to join in this mood of solemnity to express its great appreciation for the work already carried out by the Ad Hoc Committee on Chemical Weapons and the report it has presented today to the Conference on Disarmament. At the moment when we are

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arriving at the end of the work of the third session of the Conference on Disarmament for this year, I must pay an emphatic personal tribute to you, Sir, for your skill and for the great appreciation we have for the way you have maintained contact between the delegations and become practically involved in the work of all the delegations in order to reach understanding, concord, openness in the exchanges between the different delegations. I am convinced, and my delegation with me is convinced, that the experience which you have demonstrated during this last phase of our work will also be recorded as an additional contribution made by your country, Belgium, to the success of the work we have done this year.

From re-reading document CD/1119 containing the agenda for the 1992 session and the programme of work of the Conference on Disarmament, we can see the extent of the work that we have been able to complete this year. We have of course focused the bulk of our efforts on negotiating the convention on the prohibition of chemical weapons, and the result achieved is an obvious cause for satisfaction and pride. But this priority was pursued at the expense of several other areas of work, in a way. In this connection I would like to remind all the members of our Ad Hoc Committee and the Conference on Disarmament of some salient elements of the work done by the Conference on Disarmament this year, which are matters of concern, we believe, for the future of the Conference on Disarmament itself.

On 13 February this year, Ambassador Shah of India and Mr. Koikai of Kenya, on behalf of 19 developing countries, noted the fact that certain delegations had prevented the implementation of General Assembly resolutions 46/37 C and 46/37 D, which called upon the Conference on Disarmament to prepare two draft conventions, one on the complete cessation of nuclear tests and the other on prohibition of the use of nuclear weapons. In March, on behalf of the Group of 21, Ambassador Nasseri of Iran deplored the fact that the Ad Hoc Committee on the Prevention of an Arms Race in Space had not been given a negotiating mandate as provided for in General Assembly resolution 46/33. Also in the month of March, Mrs. Bauta Solés, our colleague from Cuba, noted on behalf of 20 developing countries that it had proved impossible to re-establish an ad hoc committee on the question of the comprehensive programme of disarmament, though this had been explicitly recommended in resolution 46/38 B. On 24 March 1992, following the accession of China to the nuclear non-proliferation Treaty, that country's delegation proposed a number of measures that would lead to the progressive prohibition of all nuclear weapons. Two days later, on 26 March, Ambassador Shah of India delivered an important report showing how the approach to the non-proliferation question was misdirected and recalling the plan of action proposed by his country in 1988 to the third special session of the General Assembly devoted to Disarmament for the step-by-step elimination of all weapons of mass destruction.

For several years now in this body many countries have noted with concern a kind of downgrading of the order of priorities. Nuclear disarmament, which lay behind the very idea of creating the Conference on Disarmament, seems to be considered to be too serious a matter to be the subject of genuine negotiations within this Conference. And, now that the convention on chemical weapons has been completed, we have serious fears that efforts are going to be

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made to impose a new topic on us which would lead to the delaying or even cancellation of work on nuclear issues. Here in this very body on 21 May last the Minister for Foreign Affairs of Algeria noted the unusual situation whereby "despite the repeated appeals of the General Assembly calling on this Conference to embark without delay on structured negotiations on nuclear questions, with a view to concluding one or more international agreements on these nuclear weapons, it has not been possible for the commitments entered into at the very moment when the Conference was created to be honoured". The concern which he stressed, and which is shared by most delegations present here, was "all the greater since, by a strange paradox, the body seems to be agreeing to abandon the fundamental theme of disarmament policy and relinquish its original mission of warding off the nuclear peril". This concern is of the greatest relevance now that we are approaching 1995, which will see the holding of a review conference that is decisive for the future of the NPT, and the failure of the fourth NPT review conference and the reasons for it have to be given serious thought. First of all it is high time that the nuclear States honoured the commitments they entered into under that Treaty, which involve in particular devising concrete measures of nuclear disarmament, beginning with a ban on nuclear tests, verified under a treaty. At the same time, justice should be done to States which have voluntarily renounced the nuclear option by protecting them in a legally binding international instrument against the use or the threat of the use of nuclear weapons. And it is important that all should be guaranteed equal access to nuclear technology for civilian purposes.

Hitherto Algeria has not acceded to the nuclear non-proliferation Treaty for reasons of principle that are known to all: it does not accept the discriminatory nature of the Treaty. Like others, it considers that mankind is threatened not only by the horizontal proliferation of nuclear weapons but by the very existence of such weapons. It is therefore for their complete eradication once and for all. It considers that the nuclear States have a special responsibility in the universal disarmament effort and that they must fully respect their commitments as a quid pro quo for disarmament by the other States parties to the Treaty, in particular by halting vertical proliferation and the qualitative improvement of their nuclear strike capabilities. We do not understand what purposes these processes are aimed at, and consider them to be a perversion of the very spirit of the Treaty. My country has repeatedly confirmed that it has no military nuclear ambitions. It regularly submits its facilities to checks and surveillance by the International Atomic Energy Agency, with which it maintains excellent relations. It is working actively in the Organization of African Unity and other multilateral organizations to make Africa a continent free of nuclear weapons and all weapons of mass destruction. It supports the initiative presented by Egyptian President Hosni Mubarak to make the Near East a region free from all weapons of mass destruction, and is working to ensure that the effort of the international community to dismantle weapons of mass destruction in that region is extended to all who possess such weapons.

We wish to recall with satisfaction the proposal made here last February by the Russian Minister for Foreign Affairs for the Conference on Disarmament to be associated with measures aimed at greater transparency in the monitoring of nuclear weapons. We consider this is a step in the right direction. We

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hope that as of the first session next year the committee on a nuclear test ban will be established with a mandate offering the prospect of the implementation of a convention completely and finally banning such tests. In this context, I would like to recall the obvious link between the two items on the nuclear test ban and security assurances to non-nuclear-weapon States - a question which is of great concern to us. The disarmament effort associated with the end of the cold war is of course encouraging, but we hope that in the future it will no longer entail merely the withdrawal of obsolete weaponry or its export to third countries.

With respect to the convention on chemical weapons, I would like to reiterate here the validity of the reservations and apprehensions expressed by 14 developing countries in document CD/CW/WP.427. We regret that some of them were not taken into account in the final draft of the convention. We consider it to be regrettable that, on the pretext that 1992 was the last chance to finalize the convention, solutions were adopted in several places which will inevitably prove inadequate in application. Hence we are afraid that in future they may be sources of misunderstandings or disputes. However, I would remind you that my country finds the draft convention as presented in document CD/CW/WP.400/Rev.2 of sufficient interest and merit to agree to its being transmitted to the United Nations General Assembly for adoption. We cannot fail in our duty to pay a deserved tribute at this stage in our work to Ambassador von Wagner, whose personal qualities as well as his efforts and those of his delegation led to the compromise that was reached. We also thank the Australian delegation, which, both through the Secretary of State Gareth Evans and through Ambassador O'Sullivan, spared no effort to facilitate the work of the Ad Hoc Committee on Chemical Weapons, especially when they submitted to us at a particularly appropriate time an outline treaty which is the origin of all the progress achieved in the preparation of the final draft convention. It would not be right to refer to the chemical weapons convention without mentioning the remarkable contributions made by the secretariat of the Ad Hoc Committee. Here I would like to pay a special tribute to the Secretary of the Ad Hoc Committee on Chemical Weapons, Mr. Abdelkadir Bensmail. It is important to pay this tribute not only because he is an Algerian but above all and particularly as the Secretary of the Committee on Chemical Weapons. In the view of very many delegations, his name will henceforth be inseparable from this historic achievement of the Conference on Disarmament. His experience and his diplomatic talents and constant availability, his own and that of all his colleagues in the Committee, have been placed at the service of the Committee for a whole decade, and I am convinced that all the presiding officers who have occupied your chair have noted Mr. Bensmail's readiness to help and his contribution to the work of our Conference.

With respect to next year's work, we believe like many delegations that the Decalogue laid down by the first special session of the Conference on Disarmament, in 1979, is in many ways outmoded. The fact that such a new topic as transparency in armaments is being discussed not only shows that the international community is tired of the senseless build-up of weapons over the past 20 years to the detriment of the economic and social development of a good part of the planet, but also that the Conference on Disarmament is capable of responding to the new challenges arising from the need to limit this squandering of resources. In this context we believe that most of the

(Mr. Semichi, Algeria)

agenda items on this year's agenda should be taken up again for consideration next year, and that priority should be given to matters relating to nuclear disarmament and confidence-building measures. The negotiation of treaties on the prohibition of attacks against nuclear facilities, an idea that we share with its Swedish sponsors, the cessation of nuclear tests and assurances to non-nuclear-weapon States might be an excellent order of priority. Lastly, with respect to matters relating to the improvement of working conditions in the Conference of Disarmament and its enlargement, the Algerian delegation considers that the outstanding work done under the leadership of Ambassador Kamal of Pakistan should not only continue but should, as of the beginning of next year, lead to concrete measures to make our activities more effective.

Before concluding I would like to announce to the members of the Conference on Disarmament that my principal associate in the Conference on Disarmament will be leaving very shortly, and I would like here in plenary to emphasize the contribution made by my colleague Mr. Tefiani, who will be returning to Algiers at the end of this month.

The PRESIDENT (translated from French): Thank you, Mr. Ambassador, for all the words you used to express your satisfaction in relation to Ambassador von Wagner, Mr. Bensmail and myself. I join you in thanking the colleague who is about to leave us, and in wishing him every success in his new duties in Algiers. I now call on Mr. Lyons, the representative of Ireland.

Mr. LYONS (Ireland): Mr. President, my delegation would like to extend its congratulations to you on your assumption of the presidency of the Conference on Disarmament. The Conference is fortunate in being able to count on your skill and experience at this crucial stage of its work. We are confident that your experience and skill will enable the Conference to meet the important challenges which it faces now and in the coming months.

The Conference on Disarmament is approaching the end of a very important and productive session. The finalization of the draft convention outlawing chemical weapons is an achievement of the utmost importance for the international community. Failure to conclude the convention this year would only have had serious implications, both for the Conference and for the international community as a whole. It would have signalled an inability on the part of the Conference to take advantage of an international environment unprecedentedly favourable to progress on disarmament, and would thereby have raised serious questions about its credibility. We hope the convention will point the way to further disarmament measures. The system of international monitoring which it puts in place is unprecedented in its scope, and the willingness of so many countries to accept such a system is very encouraging. My Government would have wished to see a verification system even more intrusive than that for which the draft convention provides. That however is not to take away from what has been accomplished. In view of the different approaches and interests which had to be reconciled, the final outcome as represented in the text appended to the report of the Ad Hoc Committee is a remarkable one. My delegation can fully endorse the statement by Ambassador Errera in the Ad Hoc Committee on 26 August. Ambassador von Wagner

(Mr. Lyons, Ireland)

and his team are to be congratulated on the skill and persistence which led to this result. It is one which my authorities can certainly accept, and I can reiterate the intention of Ireland, already expressed by my Government, to be an original signatory to the convention. We hope that those States which at present have reservations about the text will be able to focus on its merits rather than on what they perceive as its shortcomings and to accept it in a spirit of compromise.

Now that these difficult and protracted negotiations have been brought to a successful conclusion, it seems to my delegation, as it clearly does to many others, that the Conference on Disarmament finds itself at a crossroads, confronting questions such as where it should now turn its attention, and what changes are desirable in its composition and agenda to enable it to deal effectively with other important disarmament issues.

I think it fair to say that the chemical weapons negotiations, which have been in progress for almost 20 years, might have continued even longer were it not for the dramatic changes in the international climate in recent times. The element of political will to conclude an agreement is the vital new ingredient which enabled the negotiations to be brought to a successful conclusion. It is clear that the Conference on Disarmament now operates in a changed world. The East-West tensions which dominated the debate on security and disarmament in international forums are a thing of the past, and we have seen new structures put in place for cooperation between the members of formerly antagonistic military alliances. The new challenges to international security are of a different kind, more diffuse and less capable of prediction. It is clear that the Conference should reflect the realities of the world in which it works, and this in terms of its composition, its structure and its agenda. The new situation points to the desirability of an enlargement going well beyond what has been considered to date, and on a basis that reflects current realities. My delegation finds very interesting the proposal put forward by Ambassador Hyltenius of Sweden when he addressed the plenary on 23 July for an open-ended membership, so that any State which is interested in participating and making a contribution to the work of the Conference can do so. This would not in our view harm the effectiveness of the Conference or its ability to carry through negotiations on various areas of disarmament.

As regards the agenda, the experience of the chemical weapons negotiations suggests to us that the Conference can be most effective when it addresses itself to a limited range of subjects and deals with them in an intensive way. My delegation would see considerable merit in rationalizing the current agenda, particularly by combining to the extent possible existing agenda items. In our view, transparency in armaments and the question of a comprehensive ban on nuclear testing should now have a high place among the Conference's priorities. The great majority of the international community have made it clear that they wish to see progress in the Conference on Disarmament on the comprehensive test ban. The response of the Conference to this wish will have important implications for its credibility as an instrument of the international community as a whole. We hope that there can be early agreement on the setting up of ad hoc committees with mandates to negotiate on these important issues.

(Mr. Lyons, Ireland)

My delegation will avail of the consultations which it has been decided you should undertake in the inter-sessional period, Mr. President, to submit further views to you on the questions of the membership and agenda of the Conference.

The PRESIDENT (translated from French): Thank you, Mr. Lyons, for your kind words addressed to me and for the statement you have just made. I now give the floor to Mr. Valentino, the representative of Malta.

Mr. VALENTINO (Malta): Mr. President, as this is my first intervention during your presidency, allow me to begin by congratulating you on your presiding over this important and historic part of the Conference on Disarmament. I would also like to thank your predecessor, Ambassador O'Sullivan of Australia, for the able manner in which he conducted the work of the Conference during his presidency.

On 26 May of this year my delegation in its statement to the Conference on Disarmament appealed to all delegations, particularly those deeply involved in the negotiations on the draft chemical weapons convention, to make serious efforts to give top priority during negotiations to resolving the pending issues on the draft chemical weapons convention. Today my delegation, together with the majority of the members and non-members of the Conference on Disarmament, is in a position to state that such efforts have materialized, and we are satisfied to note that this Conference has produced a final text of the convention on chemical weapons. Malta joins other delegations which have expressed their appreciation for the intensive work carried out by the Ad Hoc Committee on Chemical Weapons, especially its Chairman, Ambassador Adolf von Wagner of Germany, and his delegation.

Malta is not a member of this Conference, but has followed with interest the developments on the negotiations leading to the convention. The chemical weapons convention is an international security treaty which merits universal backing. We trust that the broad support already expressed by the majority of States represented here may in the future be joined by others which may, at present, still have some reservations.

During the final meeting of the Ad Hoc Committee on Chemical Weapons a statement was delivered by the distinguished Ambassador of France which is reflected in the Committee's report. Malta wishes to associate itself with that statement, which it finds balanced and factual.

As stated by this delegation in May this year, Malta will be among the original signatories to the chemical weapons convention. It will do this in the interest of our national, regional and international security interests, and thus sincerely hope that all countries, particularly those in the Mediterranean region, become States parties to the convention.

Malta feels that, during the period between now and the submission of the chemical weapons convention to the United Nations General Assembly, important discussions should be held between countries represented here and those which are not, so that this convention is given the widest possible promotion. We have the responsibility in promoting this convention to other States in the

(Mr. Valentino, Malta)

interest of international worldwide security. In this respect, the results achieved concerning the conclusion of the chemical weapons convention should be brought to the attention of all States Members of the United Nations together with the invitation for them to sign the convention as soon as it is opened for signature. Active efforts should continue to ensure that the treaty enters into force at the earliest possible date.

This year was a successful year for the Conference on Disarmament and we hope that other sessions of the Conference on Disarmament will be characterized by such successful events as the one on a multilateral chemical weapons convention which we have managed to complete after long and difficult negotiations.

The PRESIDENT (translated from French): Thank you, Mr. Valentino, for your statement, for your encouraging words to me, and for the thanks you addressed to Ambassador O'Sullivan. I now give the floor to Ambassador Masri, the representative of Syria.

Mr. MASRI (Syrian Arab Republic) (translated from Arabic): Our delegation would like to express its deep appreciation for the opportunity given us to make a brief statement at this important Conference, before the conclusion of its work, concerning the comments and reservations of the Syrian Arab Republic on the draft convention prohibiting chemical weapons, which the Conference will transmit to the General Assembly of the United Nations at its forthcoming forty-seventh session. Without going into the details of the draft convention, some parts of which we feel require further consideration, we should like to express our full support for the proposals and comments made by the developing countries which are members of the Conference. We would have liked to see those proposals and remarks taken into account in the preparation of the final text of the draft convention, since they express the concerns of those countries and their desire to avoid inappropriate and unbalanced conclusions, double standards of implementation, and in particular potential adverse consequences for the development process in the developing countries or for their national security or sovereignty. While acknowledging the importance of this convention and its sound aim of protecting mankind from the horrors of chemical weapons, we none the less feel that it cannot achieve that aim without a similar prohibition on nuclear weapons and other weapons of mass destruction. In the Middle East, we are facing the dangers of these weapons as a result of Israeli nuclear armament which is jeopardizing peace and security and endangering human life as well as the environment and the future of this sensitive region of the world, not to mention the enormous perils arising from Israel's possession of advanced technology for the development and production of chemical weapons.

The Syrian Arab Republic has called for the Middle East to be turned into a region free from chemical weapons, nuclear weapons and other weapons of mass destruction. It has also called for an interlinkage between these weapons, without which the convention banning chemical weapons will be inadequate to achieve the desired purpose. We feel that a debate on the draft convention in the General Assembly at its forthcoming forty-seventh session offers an appropriate opportunity to improve the content of the draft convention and

(Mr. Masri, Syrian Arab Republic)

establish an interlinkage between chemical, nuclear and other weapons of mass destruction in order to make the convention more consistent with its objectives.

Finally, I would like to summarize the reservations of the Syrian Arab Republic concerning this convention on the prohibition of chemical weapons. First, the Syrian Arab Republic's signature of this convention depends on its signature by Israel. Secondly, there is a need for an interlinkage between chemical weapons, weapons of mass destruction and nuclear weapons. Thirdly, there is a need to turn the Middle East into a region free of all weapons of mass destruction, including nuclear and chemical weapons.

The PRESIDENT (translated from French): I thank the representative of Syria for his statement and the kind words addressed to myself. It is now 1.04 p.m. We shall have to suspend the meeting because everyone has the right to go to lunch. I would have liked to resume a little earlier than the scheduled hour of 3 p.m., but I am told that technically it is not possible. Therefore I urge you to be here at 3 p.m. sharp, so that we may hear the remaining speakers on our list. I still have on my list Nigeria, Viet Nam, Morocco, Switzerland, the Russian Federation, South Africa and Ethiopia. While I am on the subject, does any other delegation wish to add its name to this list? I would rather do this now than have to ask delegations to join the list this afternoon. I see that the delegation of Chile has asked to speak, and so have the Islamic Republic of Iran, the United Kingdom and Argentina. That makes another 11 delegations to be heard this afternoon. I consider that the list of speakers is now closed, and I shall suspend this meeting and ask you to try to be here so that we may resume at 3 p.m., otherwise I do not think our friend Ambassador Shannon will see any of us at his reception this evening.

The meeting was suspended at 1.05 p.m. and resumed at 3.25 p.m.

The PRESIDENT (translated from French): We shall now begin the second part of today's meeting. I hope it will not go on too long into the evening. I have a dozen speakers, or at any rate 10 or 11, left. So I immediately give the floor to Ambassador Azikiwe, the representative of Nigeria.

Mr. AZIKIWE (Nigeria): Mr. President, my delegation is pleased to see you presiding over our work, the representative of Belgium, a country with which Nigeria has excellent relations. Your predecessor, Ambassador Paul O'Sullivan of Australia, made important contributions to our work during his presidency, for which my delegation would like to place on record our appreciation. Ambassador Prakash Shah of India in his statement this morning informed us that he will be leaving Geneva towards the end of the month to take up another important assignment for his country. We wish him and other colleagues who have recently left us every success in their future endeavours.

As this year's session draws to a close, it is only natural that we take stock of our work and relate it to the anticipation with which it began. We note with satisfaction the constructive and positive spirit of cooperation that generally prevailed, especially in the recently concluded negotiations on

(Mr. Azikiwe, Nigeria)

the draft chemical weapons convention, whose objective is a universal, non-discriminatory and comprehensive regime prohibiting the production, acquisition, stockpiling, retention, transfer and use of chemical weapons. This demonstrates the determination of all delegations to contribute effectively towards the realization of this important disarmament measure, in the conviction that these abhorrent weapons of mass destruction must be totally outlawed.

Nigeria as a member of this body has always played a constructive role towards the early achievement of this objective. We have always felt that the risk of the use of chemical weapons cannot be eliminated through partial measures such as a non-proliferation agreement, since this will encourage the retention of such weapons in the arsenals of those States which already possess them. Bilateral agreements or regional measures such as the establishment of chemical-weapons-free zones, while commendable, will not fully resolve the problem of the threat of use of chemical weapons. The key to a chemical-weapon-free world lies in a multilateral negotiated comprehensive convention, which the Ad Hoc Committee successfully concluded last week.

While recognizing that the convention is not entirely perfect, it is nonetheless a compromise text after long and intensive negotiations. Nigeria does not possess chemical weapons, nor does it intend to acquire them. In short, we do not have any hidden agenda. Notwithstanding that our chemical industry is still in its infancy, we believe that, with sufficient transparency and goodwill on all sides, the convention should help to foster international cooperation in the field of chemical activities amongst States parties. Similarly the convention must be implemented without any ambiguities in ensuring that the world chemical industry will not be subjected to an unnecessarily intrusive or bureaucratic system of inspections.

My delegation sees the draft convention as an historic achievement of the Conference on Disarmament. Hence we fully support the idea that it should be transmitted to the United Nations General Assembly for consideration. We look forward to a consensus draft resolution towards achieving universal adherence to the convention. Nigeria will be an original signatory to the convention. Naturally we expect that other States which have not done so will make a similar declaration. We also expect all those States possessing chemical weapons to do the same. By so doing, the convention will take off on firm ground towards the total elimination of chemical weapons. Humanitarian concern about the effects of this category of weapons of mass destruction is well and good; however, we should go beyond that. After all, those who have been accused of using these weapons are not solely the producers. If the use of chemical weapons is reprehensible, so should be their development, production, stockpiling and transfer.

As we conclude our work, we should start addressing our minds to the issues that will feature during the preparatory commission next year. Obviously members of the Conference should take the initiative of holding consultations on the agenda and composition of the bureau at the preparatory commission. We must ensure that decisions on the election of both the chairman and executive secretary are reached by consensus. Naturally, the

(Mr. Azikiwe, Nigeria)

provisional technical secretariat to be headed by the executive secretary should not only have personnel of professional competence but also reflect the geographical and universal nature of the organization. We are of the view that such an initiative should be undertaken by you, Sir, during the inter-sessional period.

Finally, my delegation wishes to place on record our appreciation to Ambassador Adolf von Wagner, the Chairman of the Ad Hoc Committee on Chemical Weapons, and the staff of the secretariat, especially Mr Bensmail, Secretary of the Ad Hoc Committee, for their commendable efforts and dedication in assisting our work.

Disarmament in general is not an endeavour of the impatient. Hence I wish to express once again our appreciation to all delegations for the exemplary gesture of commitment towards achieving our common goal.

The PRESIDENT (translated from French): Thank you, Mr. Ambassador, on behalf of Ambassador O'Sullivan and on my own behalf, for your kind opening comments, and we have taken good note of your statement. I now give the floor to Ambassador Nguyen, the representative of Viet Nam.

Mr. NGUYEN (Viet Nam) (translated from French): Mr. President, the delegation of Viet Nam is delighted to see you presiding over the Conference on Disarmament at this crucial stage in the 1992 session and wishes you every success in your important task. I take this opportunity to reiterate our high appreciation to Ambassador von Wagner, the Chairman of the Ad Hoc Committee on Chemical Weapons, for his conduct of the negotiations which resulted in the draft convention on chemical weapons. My statement today will be limited to herbicide problems, and I promise you that it will be brief.

I would like first of all to thank the German delegation for its unremitting efforts to find a way out between the various positions as to the right place in the future convention on chemical weapons for the provision concerning prohibition of the use of herbicides as a method of warfare. The delegation of Viet Nam is also grateful to the German delegation for having provided the draft declaration on herbicides which it intends to submit to the plenary Conference on Disarmament in relation to the forthcoming ENMOD conference. In this connection, my delegation would like to inform this gathering that Viet Nam's position of principle in favour of including the content of the prohibition of the use of herbicides as a method of warfare in one of the main provisions of the future convention remains unchanged.

Secondly, I take this opportunity to reaffirm Viet Nam's view that the idea of including in the convention on chemical weapons the content of the prohibition of herbicides as a method of warfare is a serious, well-founded proposal, for we are convinced that States which hope that the unfortunate experiments made on nature and living beings in Viet Nam in the 1960s will never be repeated will give their firm support. Viet Nam would like to see the content of this prohibition inserted in its rightful place, i.e. in article II of the future convention. However, by way of concession and

(Mr. Nguyen, Viet Nam)

compromise, it is prepared to agree that this content should appear in article I. This expresses its good will to arrive at an acceptable solution through genuine negotiation.

Thirdly, my delegation wonders why the reference to the commitment of States parties not to use riot control agents as a method of warfare has been retained in article I, whereas the word "herbicides" in the 14-nation proposed amendment to article I contained in document WP.417 has not been accepted. Whether we are talking about riot control agents or herbicides, they are well and truly chemicals. The inclusion of the prohibition of the use of herbicides as a method of warfare only in the preamble to the future convention presupposes inter alia that this so-called prohibition is not binding on States parties to the future convention; that the prohibition allegedly already mentioned in other allegedly relevant conventions is subject to free interpretation where necessary, and according to circumstances, as to the scope of the future convention; and that the threat of repeated use of herbicides as a method of warfare has unfortunately not yet been averted.

Fourthly, it is generally accepted that in negotiations each party has to make concessions in order to arrive at a common denominator. The 14-nation proposal on herbicides is modest and reasonable, we have experienced in our own flesh the justification for this proposal, and yet it is not accepted. In the present situation, our delegation is forced to think that this is the outcome of what might be called a certain selective balance; and if a balance is selective, it is dictated by the "law of the strongest" and hence fraught with consequences both for the universality and for the future application of the convention on chemical weapons.

I thank you for your attention, Sir, and ask you to ensure that Viet Nam's views are duly reflected in the relevant documents of the Conference on Disarmament.

The PRESIDENT (translated from French): I thank the representative of Viet Nam for his statement and for the kind words addressed to myself. He may rest assured that the statement he has just made will appear in the verbatim record of our plenary meeting. I now call on Mr. Zniber, the representative of Morocco.

Mr. ZNIBER (Morocco) (translated from French): Mr. President, my Ambassador had an opportunity last week to congratulate you on acceding to the presidency of the Conference on Disarmament. Allow me in my turn, on behalf of my delegation, to reiterate to you our sincere support in any consultations you may undertake in order to improve the work of the Conference and strengthen the participation of delegations.

This morning His Excellency Ambassador von Wagner, as Chairman of the Ad Hoc Committee on Chemical Weapons, introduced the Committee's report to the Conference. My delegation's statement is made in that context. Before making it, I would like to pay tribute to Ambassador von Wagner for the excellent work he has done in the Chair of the Ad Hoc Committee on Chemical Weapons. His tenacity and also his availability have served as guarantees for the success of the Committee's work, and we would like to congratulate him again,

(Mr. Zniber, Morocco)

together with his highly competent delegation, on the unswerving dedication they have brought to their task. At the same time I would like to express our entire satisfaction with the valuable contribution made by the secretariat, which has spared no effort to make the delegations' work easier. In particular I wish to congratulate Mr. Abdelkader Bensmail and all his colleagues on the quality of the work done.

The delegation of the Kingdom of Morocco considers that despite its imperfections, the draft convention on chemical weapons set forth in document CD/CW/WP.400/Rev.2 constitutes a serious guarantee for the security of all States that sign it and that it secures the prerequisites for confident and fruitful cooperation between them in the field of chemical industry for peaceful purposes.

The arduous quest for a delicate balance, firstly to allay the rightful anxieties of some and the equally justifiable concerns of others, and secondly, between the rights and the obligations arising for all out of its implementation, does not seem to us to have been entirely successful. We regret this. However, the will to measure up to the expectations of the international community, on the basis of perseverance by everyone, has prevailed over doubts and misgivings. Therefore, taking into account the merits it has to show, and not losing sight of its shortcomings, the delegation of the Kingdom of Morocco is ready to support the approval of the draft text set forth in document CD/CW/WP.400/Rev.2 as the convention on the prohibition of chemical weapons and on their destruction. It expresses the hope that this text will be adopted by consensus by the General Assembly and that any hesitations still persisting will disappear, so as to ensure both its universality and its smooth application.

The PRESIDENT (translated from French): I thank you and I have taken due note of your statement, and I thank you for the kind words you addressed to me. I now call on Ambassador von Arx, the representative of Switzerland.

Mr. von ARX (Switzerland) (translated from French): Mr. President, allow me first of all to congratulate you, also on behalf of my delegation, on your election to this important post at a decisive time for our Conference. I would like to assure you that it is for me a special and personal pleasure to see a former colleague from the heroic days of the first Conference on Security and Cooperation in Europe, which was held in the years 1973 to 1975 - in other words, at a very cold time in the cold war - here in Geneva, and which led to the Final Act of Helsinki.

Today we are in the final stage of a long-term effort - the finalization of an international instrument for the fullest possible elimination of chemical weapons, which, according to the experts, are hardly of decisive military value but rather a psychological weapon and an instrument of terror. The draft treaty set forth in document WP.400/Rev.2 is, of course, no more than a compromise, with all its attendant advantages and disadvantages. But all the treaties and conventions concluded in the disarmament control and arms

(Mr. von Arx, Switzerland)

control sector since the Second World War have also been no more than compromises; and for all that, they have helped to preserve or even to strengthen our international security.

Let us take, for example, the Treaty on the Non-Proliferation of Nuclear Weapons. This certainly has its glaring faults, not to mention its discriminatory character, which has caused Switzerland, for instance, considerable difficulties in acceding to the Treaty. Let us point out, for example, that among other things the Treaty overlooked the question of technology, though that is so important in this sector. Yet, for all its shortcomings, this Treaty has helped substantially to prevent fulfilment of the serious forecasts of the 1960s that by the end of this century there would be another 30 to 40 nuclear Powers: a situation which, in the view of the Swiss authorities, would have increased neither our own nor, in all likelihood, the world's security.

From what we consider the favourable experience gained with these existing arms control and disarmament instruments, however imperfect they may be, we Swiss draw the following lesson: it is not the detailed rules laid down in these treaties and conventions, however imperfect they may be, that give these instruments their decisive weight; it is primarily the fact that, by bringing them into force, a large proportion of the international community has solemnly espoused the fundamental ideas and principles set forth in these texts, and thus developed human awareness on the lines that those ideas and principles constitute basic rules for our international relations. Today we are in a position to add a further element to that international awareness: the banishment of chemical weapons; and we shall have to add yet more elements even if, each time, they are expressed only by a compromise.

In this spirit we welcome and support the draft treaty on the complete elimination of chemical weapons set forth in document WP.400/Rev.2 and the Swiss Government, as you know, declared together with the other Governments represented at the CSCE that Switzerland would be among the original signatories of this new convention. In that hope, my delegation would have supported the French statement made on Wednesday, 26 August 1992 if we had had an opportunity to do so. On the present occasion, we would like to pay tribute to Ambassador Adolf von Wagner and his delegation and to congratulate them on their admirable work and on the very necessary courage shown in bringing us to this memorable point.

Allow me to close with two very subjective Swiss remarks. Firstly, the reason why this draft treaty on chemical weapons has from the Swiss standpoint, if I may say so, one flaw in its beauty is that it was drawn up, once again, under conditions which did not allow my country to play to the full the role proper to a State that is sovereign and, according to the fundamental rules of international law, equal to all others. My authorities hope that future treaties in this sphere of arms control and disarmament will be drawn up under conditions in keeping with the principles of sovereign equality and democratic common decisions that govern our international society. Secondly, the draft treaty on chemical weapons has now gone beyond the Conference on Disarmament stage. From now on, everything that has to be done for this convention and its future life will have to be done by its

(Mr. von Arx, Switzerland)

future members, its future States parties. Henceforward there are no longer two classes of States, full members and observers. Henceforward all of us who intend to sign and ratify this convention have the same rights and responsibilities to contribute to its future destiny. This, it seems to us, is a prerequisite for a new regime that will be as universal as possible.

The PRESIDENT (translated from French): Thank you, Ambassador von Arx, for your words of encouragement and the statement you have just made. I now call on Ambassador Batsanov, the representative of the Russian Federation.

Mr. BATSANOV (Russian Federation) (translated from Russian): First of all, Mr. President, I would like to join in the congratulations which have been addressed to you by all the colleagues who have spoken before me. Today is indeed a special day for our Conference. Not only a regular cycle of work but, it may be said without exaggeration, a whole epoch is coming to an end. For the first time in the last 16 years, the Conference is ready to report to the General Assembly of the United Nations not only on the content of discussions held in the Conference, not only on routine progress made in resolving a particular issue, but on an agreement unprecedented in scope, in the solutions applied to complex political and technical problems: the draft convention on chemical weapons. This is even more than a draft agreement to prohibit and eliminate one of the most dangerous types of weapon of mass destruction. It embodies new approaches to verification and to many other "traditional" disarmament problems, which are in keeping with the spirit of the times. It is also a great satisfaction that we have, for the first time, a draft agreement which is the result of truly multilateral efforts, although, of course, some have contributed more and others less at one stage or another. At this point I would like to draw particular attention to the role played this year by two countries: Germany, which led the negotiations in the Ad Hoc Committee, and Australia, which took the side of being the first to go beyond what had become the accustomed framework of the "rolling text" and propose an entire, simpler and more understandable draft convention, thus showing the way by which we finally arrived at today's result.

On the whole, we cannot but be satisfied at the completion of the essential work on a convention for which we unswervingly supported and continue to support the idea of the fastest possible conclusion. The Russian delegation did all it could to bring this moment closer, taking an active part in the search for solutions to the puzzles that until just recently seemed difficult to solve. It is no secret, however, that many provisions of the convention have not turned out to be as we would wish to see them; nor is it a secret that some of these provisions have presented very serious difficulties for our Government. Our delegation was instructed to speak directly about this, about these difficulties, during the discussion of the draft convention in the Ad Hoc Committee. I would remind you that we are referring to the wording of article IV, paragraph 16, and article V, paragraph 19, laying down the principle that the costs of international verification are met by the inspected party, and to the definition of specialized equipment, which is so broad as to call into question the practical possibility of converting chemical weapons production facilities. In both cases our objections are based on strictly economic grounds, and therefore we would prefer now to leave these questions open and try to resolve them before the convention is signed.

(Mr. Batsanov, Russian Federation)

At the same time, guided by our commitment to the cause of eliminating chemical weapons, we took the decision not to block the transmission of the convention to the United Nations General Assembly. Furthermore, we are ready to adopt a flexible approach to the question of the way in which the remaining issues that give us grounds for concern can be resolved before the voting in New York. Contacts which have been established in the last few days, including some at a very high political level, have thrown light on a number of possible measures and approaches which have the potential for a satisfactory solution to our basic concerns. This also inspires us to hope that at the General Assembly Russia will have no problem in supporting the convention, since by then all the issues disturbing us will have been favourably resolved. We count on the other parties concerned to show the necessary constructiveness here. In view of the encouraging new circumstances that have emerged in the last few days, our delegation was prepared to abbreviate somewhat the paragraph in the Ad Hoc Committee's report setting forth the position of the Russian Government on the draft convention. Specifically we would have been ready to take out the first, second and last subparagraphs, leaving, however, the statement of the substance of our concerns about the wording of articles IV and V of the draft convention concerning the procedure for financing verification activity, our position as to how, in our view, such financing should be effected, and the intermediate solution we proposed. This also applies to the question of defining specialized equipment. However, we realized that it was not a good idea at this stage to reopen negotiations on the Ad Hoc Committee's report, and decided to limit ourselves to this statement.

In conclusion I feel it my duty to express our profound gratitude to the secretariat and Mr. Berasategui and Mr. Bensmail for the enormous amount of work that has been done to help us negotiators in performing our complex tasks. I believe that the secretariat has coped with this task brilliantly and I would like to extend my deepest thanks to it once again.

The PRESIDENT (translated from French): Thank you, Ambassador Batsanov, once again, on behalf of Ambassador von Wagner and myself, for your words of appreciation. Thank you also for your statement, which will be duly taken into account. I now have on my list Mr. Johan Rautenbach, the representative of the Republic of South Africa.

Mr. RAUTENBACH (South Africa): Mr. President, as this is the first time during your presidency that I take the floor, please allow me to congratulate you on your assumption of the Chair. We appreciate and have full confidence in your guidance, particularly during this final and important stage of such a significant and historic session.

After many years of arduous deliberations, finality has been reached with the conclusion of a convention, realizing the ideal of a complete ban on all chemical weapons and the means to produce them. South Africa welcomes this important milestone in the history of global disarmament. The successful conclusion of the chemical weapons convention is the result of a long and intensive negotiation. South Africa has been involved in this process for only a year, though we acknowledge that the draft text as contained in working paper 400/Rev.2, and now as an appendix to CD/1170, was carefully formulated

(Mr. Rautenbach, South Africa)

and structured so as to ensure a fine balance of compromises. In this regard I would like to extend my delegation's appreciation to Ambassador von Wagner, his delegation and the other collaborators, including the secretariat, for a task well done.

Several States have some reservations about parts of the draft convention. South Africa would also have wished for a different wording of certain sections, for example a more substantial and detailed exposition of the criteria for the seats on the executive council. As regards the ratio of regional seats on the executive council, South Africa would have wished for a more distinct reflection of the fact that Africa is the region with the largest number of States. However, broad consensus about these preferences was unfortunately not possible. We hope that even those States which do not now see their way open to find mechanisms to sign the convention will in due course be able to reach a different conclusion. The effectiveness of the convention will depend on its universality and on the elimination of the threat posed by chemical weapons in toto. It is in this spirit that the draft convention is acceptable to South Africa.

The chemical weapons convention heralds a new era in the field of multilateral disarmament. The enhanced system of confidence-building measures and verification regimes, and above all the integrity of its application to all States equally, will hopefully prepare the ground for future mechanisms in other areas of disarmament. The Conference on Disarmament can build proudly on its achievements. A sound framework for the task ahead, however, will require adjustments to the structure and agenda of the Conference. These have to be addressed by members and observers alike. South Africa is ready and willing to consult and cooperate with you, Mr. President, in this regard.

The PRESIDENT (translated from French): I thank the representative of South Africa for his statement and for the kind words he addressed to Ambassador von Wagner and myself and I now give the floor to the representative of Ethiopia.

Mr. TSEGAYE (Ethiopia): Mr. President, while I am taking the floor for the first time allow me to express my confidence that you will lead the deliberations of this Conference to a successful end.

As Ethiopia is fully committed to the cause of global security and peace, my delegation attaches great importance to the draft convention on the elimination of chemical weapons, which represents a significant achievement of the Conference on Disarmament after two decades of difficult negotiations. Through you, Mr. President, I would like to convey to His Excellency Ambassador von Wagner, the Chairman of the Ad Hoc Committee on Chemical Weapons, the appreciation of my delegation for his indefatigable efforts and the skilful leadership he has demonstrated in the negotiations resulting in the draft chemical weapons convention before us. Hoping that the draft convention will be approved by the Conference and duly forwarded to the forty-seventh session of the United Nations General Assembly for adoption, I would like to express, as I did in the Ad Hoc Committee on Chemical Weapons, my delegation's regret that Africa has been excluded from the rotating seat in

(Mr. Tsegaye, Ethiopia)

the executive council as provided in article VIII, paragraph 23 (f). I hope this will be rectified in the near future to enable Africa to benefit from the rotating seat on an equal basis with the other two regions.

At the global level the current relaxation of political tensions provides a good opportunity for the acceleration of the process of disarmament which, in its turn, could contribute significantly in terms of the release of resources and technology for development so that the developing countries could also be beneficiaries of the "peace dividend". Broadly speaking, the ongoing favourable trends in the political arena will have to be reflected in the sphere of world economic and social development as well. In these perspectives my delegation subscribes to the idea that the future agenda of the Conference on Disarmament should include the question of disarmament for development so that the Conference, within its mandate, could address itself to the problem of development which, in our view, is the major challenge facing the world community of today.

The PRESIDENT (translated from French): Thank you, Mr. Tsegaye, for your statement and for your kind words to Ambassador von Wagner and myself. I now have on my list the representative of Chile.

Mr. GONZALEZ (Chile) (translated from Spanish): First of all my delegation would like to extend a particularly warm welcome to Ambassador Lanús of Argentina, who has taken over as head of his country's delegation to this Conference. We are sure that, with its traditional diplomatic talent, the work of his country will continue along the path of promoting progress in forums of this kind.

Mr. President, my delegation has once again asked for the floor under your presidency to express its satisfaction at the adoption of the report of the Ad Hoc Committee on Chemical Weapons, whereby the draft convention on this subject is being transmitted to the General Assembly of the United Nations. As we had occasion to say at an earlier meeting, my country firmly and resolutely supports this draft text apart, of course, from its natural dissatisfaction with a few provisions of the convention. Owing to a procedural difficulty my delegation had no opportunity to express its opinion on the then draft report of the Ad Hoc Committee. In this connection I wish to place it expressly on record that my delegation fully associates itself with what was said in the joint Argentine-Brazilian statement made in the Committee on 26 August, which is reflected in the relevant report. I would be most grateful if this statement could also be included in the report of the Conference.

The PRESIDENT (translated from French): I thank Mr. González for his statement and for his words of encouragement to me. I now call upon Sir Michael Weston, the Ambassador of the United Kingdom.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): The Conference is already aware of the United Kingdom's views on the draft chemical weapons convention. I shall not prolong this momentous day by repeating them. My delegation wishes to express the United Kingdom's gratitude to Ambassador von Wagner once more, this time for his full

(Sir Michael Weston, United Kingdom)

presentation of the report of the Ad Hoc Committee on Chemical Weapons. It was useful to hear his summary of the provisions of the draft chemical weapons convention. We would, however, caution that the text of the convention speaks for itself. The Chairman's summary should not be considered in any way as an authoritative interpretation or explanation of it. My delegation has also noted the statements made by a number of delegations setting out their national positions on the draft convention. Where these statements simply reiterate the provisions of the convention in order to correct erroneous statements made by others, we have no difficulty with them. But the United Kingdom does not accept that national statements seeking to interpret the text of the convention have any authoritative status at the level of interpretation or otherwise.

The PRESIDENT (translated from French): I thank Sir Michael for his statement. His position will be duly reflected in the verbatim record of the present meeting. I now have on my list Mr. Lanús, the Ambassador of Argentina, to whom I give the floor.

Mr. LANUS (Argentina) (translated from Spanish): Mr. President, may I first of all thank you for the kind words you addressed to me this morning? I know that your management in the conduct of this Conference has been extremely successful and I am sure you will overcome the final procedural difficulties that still confront us with the same discreet efficiency that has characterized your management. I cannot conceal my satisfaction at arriving in this forum at such a crucial moment, when negotiations as arduous as those on the chemical weapons convention have come to an end, proving that the multilateral body is a possible and necessary tool in building the post-cold-war world. Furthermore the words of Ambassador Amorim of Brazil, which were clear, reaffirm the commitment of my region, Latin America, to the total elimination of weapons of mass destruction through the expected entry into force of the Treaty of Tlatelolco. Many elements are combining to make this moment one of celebration and of expectations concerning the future of this Conference. It is not my intention to delay matters this afternoon. I hope to be able in due course to address this plenary at greater length and with greater formality. Very briefly, however, I would like to express gratitude for what has been said by Ambassador Hou of China, Ambassador Celso Amorim of Brazil and Counsellor González of Chile, and to assure you, Sir, and the distinguished colleagues around this negotiating table that I hope to continue and to intensify, so far as possible, the traditionally active participation of Argentina in this forum, the only one in which a truly representative and worldwide membership has a mandate to negotiate legal instruments designed to make this planet a safer place. I shall devote all my efforts, and those of my delegation, to that end. I hope to be able to count on the experience of my distinguished colleagues and of our Secretary-General in this initial stage of my participation in the Conference on Disarmament.

The PRESIDENT (translated from French): I thank Ambassador Lanús heartily for his words of encouragement and for the statement he has just made. The last speaker on the list is Mr. Mashhadi, the representative of the Islamic Republic of Iran.

Mr. MASHHADI (Islamic Republic of Iran): Mr. President, the elimination of chemical weapons from the face of the Earth is a lofty goal which nobody more than the Iranian people is committed to. As the latest and hopefully the last victims of these weapons of horror, we attach the utmost significance to the conclusion of a treaty which is strong, verifiable, effective, solid and foolproof. We have always been, and remain, faithful proponents of such a convention. Any view by my delegation should be evaluated in this context. We wholeheartedly support the conclusion of such a convention which is backed not only by words but also by the sincere conviction for its universal adherence following its signature. It has always been our consistent determination to be an original signatory to such a convention, a convention not only agreed to but enthusiastically embraced by all States of the world, thus giving a true meaning to its fundamental objective of universality.

My delegation has worked very hard along with other delegations to arrive at such a convention. This has, however, not been possible to the full extent. These shortcomings will affect the future implementation of the convention and efforts therefore should be rendered to rectify them although much will also depend on the resolve and intention of the States parties to carry out their obligations in keeping with the spirit of the convention.

The definition of chemical weapons is the most fundamental part of the convention, as the whole body of the convention is built about, around and upon this definition. As far as toxic chemicals and their precursors are concerned, they have been elaborated and described throughout the text and a system of verification has been envisaged to check any chemicals being used as weapons. Munitions, submunitions, devices and equipment which have been tagged as chemical weapons could have been clarified further. The interpretative statement by Ambassador von Wagner, the Chairman of the Ad Hoc Committee on Chemical Weapons, is very helpful in this regard since it has not been objected to by any delegation. However, further work is warranted to further clarify the definition in order to prevent any misgivings in its interpretation at the time of implementation of the convention.

On the question of riot control agents, my delegation totally rejects the notion of their use in extraterritorial operation. These agents are purely for domestic riot control and the convention is in no way legitimizing their use outside national boundaries.

Article X is far from being complete. There are no balanced obligations in comparison with, for example, article VI to provide assistance in cases of use of chemical weapons. There is no guarantee that the voluntary fund will be sufficiently fed by States parties. The operation of article X will be left to the good will and intentions of the States parties.

Article XI has not given sufficient assurances to balance the restrictions which will come about as the result of verification measures. There are no commitments under article XI to assure that the fragile chemical industries of the developing countries will not be adversely affected by the convention.

(Mr. Mashhadi, Islamic Republic of Iran)

It appears that the States parties would have to rely on the faithful implementation of this article by chemically developed countries and on their commitment to remove restrictions. As my delegation said earlier, we hope that during the Prepcom, or in the future stages, we will render our efforts in order to rectify these shortcomings. In the meantime, this is also an important aspect that the good will and intentions of the States parties during the time of implementation will somehow rectify them. The only point which my delegation would like to reiterate again here is the composition of the executive council, which has always been an important subject in the Ad Hoc Committee during the preceding years. As a representative organ of the conference of the States parties, its composition should reflect the aspirations of the whole. Unfortunately, the provisions governing the composition of the executive council are far from being a text warranted to be included in the convention as it stands right now. That is why my delegation from the very beginning expressed its view as to the content of the text and also the procedure which led to the appearance of it in the draft convention. The inherent problems of the present provisions are as follows. Firstly, the geographical divisions are real ones which only reflect the cold war division. One of the results of the termination of the cold war was the removal of artificial divisions in Europe. Now the situation has developed in such a way that the former East European States apply for membership in NATO. Yet in order to guarantee a number of privileged seats for certain States, this East-West division of the cold war has been reinstituted in the text, which does not reflect the realities of our time.

Second, although all States are considered to be equal, yet some are taken as being more equal than others. Designating privileged seats to certain States is in no way compatible with the sovereign equality of States. This is a security treaty in which the industrial criterion plays a varying role in different geographical regions. For some, the security implications of the convention will stem more from other aspects rather than the industrial aspect. Accordingly, the Islamic Republic of Iran cannot go along with the outdated idea of permanent or quasi-permanent seats in the executive council. Some privileged seats have been designated in each regional division without any justification or explanation. For example, for Asia the notion of four privileged seats was never negotiated in the Ad Hoc Committee. Following some private bargains, suddenly the magic number four appeared in the text, which never commanded consensus in the Ad Hoc Committee. These privileged seats have not been balanced by corresponding responsibilities and obligations. Certain States parties receive favouritism in the executive council - they should assume more obligations and financing or providing assistance to other States parties for better implementation of the convention. They should agree to shoulder the task of transfer of technology to the other States parties for the development of their chemical industries. At present, a European State stands more than a 20 per cent chance to be elected to the executive council, while this chance is reduced to less than 10 per cent for an Asian State. These handicaps should be removed in order to make the executive council more democratic and closer to representing the aspirations of the whole international community, since this fact is of immense importance for the universality of the convention.

(Mr. Mashhadi, Islamic Republic of Iran)

The Islamic Republic of Iran also has strong reservations regarding the procedures leading to the appearance of provisions on the executive council. The negotiations were held in a non-transparent manner by those who were seeking privileges in the executive council. Such procedures are not compatible with the goals we are striving to achieve here.

The PRESIDENT (translated from French): I thank Mr. Mashhadi for his statement. The list of speakers is closed; do any other delegations wish to make a statement at this stage? I give the floor to the representative of Venezuela.

Mrs. CLAUWAERT (Venezuela) (translated from Spanish): First of all I would like to congratulate you, Mr. President, on presiding over the work of this Conference, and I apologize for taking the floor so late. Today is a historic occasion in the work of the Conference on Disarmament. We have heard the report introduced by Ambassador von Wagner, the Ambassador of Germany, who served as Chairman of the Ad Hoc Committee on Chemical Weapons, and I say that today is a historic day, since we are receiving as the outcome of the Committee's work the draft convention on the prohibition of chemical weapons. The delegation of Venezuela expressed its support for the draft convention in the Committee and we now wish to reiterate that support in the plenary Conference on Disarmament. As has been said here, the text of the convention is not perfect; similarly there are other international instruments which are not perfect, and the delegation of Venezuela would have preferred firmer commitments on a number of aspects, such as fairer commitments to the financing of the organization, the composition of the executive council, and economic and technological development. On the other hand we should not fail to recognize that this draft convention offers many advantages to the international community and one of these is the clear commitment to prohibiting the future use of weapons of this kind; another is the agreement on their destruction. All these are significant achievements of the work of this Conference. We wish to congratulate Ambassador von Wagner on his untiring efforts in the Chair of the Committee to attain this objective. The delegation of Venezuela hopes that this Conference, with the example and the significant impetus given by the negotiations on chemical weapons, will be able to follow that example on other priority items that the Conference has before it.

The PRESIDENT (translated from French): I thank Mrs. Clauwaert for her statement and the kind words addressed to myself. Now there are really no speakers on the list and it is already 4.30 p.m. I suggest that the Conference should now proceed to adopt the report of the Ad Hoc Committee on Chemical Weapons which Ambassador von Wagner, its Chairman, introduced to us earlier and which bears the symbol CD/1170. If there is no objection, I shall take it that the Conference adopts this report. The representative of the Islamic Republic of Iran has the floor.

Mr. MASHHADI (Islamic Republic of Iran): I apologize, Mr. President. Would you clarify exactly what we are going to adopt? If it is the text of the draft convention, my delegation cannot agree with the inclusion of article VIII in the report. My delegation agrees that the whole text, except article VIII, be transmitted to the General Assembly, but not that part.

The PRESIDENT: (translated from French) I thank Mr. Mashhadi for his statement. We are now in the situation that we feared. For my part, I find it difficult to imagine it being possible to delete article VIII of the draft convention, which contains the provisions concerning the organization for the prohibition of chemical weapons and its executive council. Document CD/1170 is an exact reflection of the discussions held and decisions adopted by the Ad Hoc Committee on Chemical Weapons and the text is inviolable. Several delegations have already asked me here to modify certain parts of this report. That is impossible. This document has become as sacred as the Koran, the Bible or the Talmud. I have no power to change what the Ad Hoc Committee decided. At all events I shall have to consult the Conference if the representative of the Islamic Republic of Iran maintains the proposal he has just made that article VIII of the draft convention should not be transmitted to the General Assembly. Does Mr. Mashhadi insist on that proposal? I give him the floor.

Mr. MASHHADI (Islamic Republic of Iran): As I said, my delegation rejects the inclusion of paragraph 23, page 29, on the composition of the executive council. I would also like to inform you, Mr. President, that some consultations are going on in order to address this question somehow. I don't know whether it will be advisable to suspend the meeting until those consultations bear fruit or not. But at the present juncture, my instruction is that we cannot agree to the inclusion of paragraph 23 as it stands now.

The PRESIDENT: The Chairman of the Ad Hoc Committee on Chemical Weapons, Ambassador von Wagner, has asked for the floor.

Mr. von WAGNER (Germany): I think the question and the concern of Mr. Mashhadi was whether we are now deciding upon the inclusion of the Ad Hoc Committee report in the CD report. If I understood you correctly, Mr. President, you are just deciding now upon the adoption of the Ad Hoc Committee report by the CD. This has nothing to do yet with the inclusion of that report in the CD report. So, let's go step by step - and this would be my recommendation - this report here as contained in CD/1170 has been adopted by the Ad Hoc Committee, is integral and is, as you said, accepted by the Ad Hoc Committee, and now it is being reported, as accepted by the Ad Hoc Committee, to the CD, and the only question which now has to be decided is whether the CD can adopt the report of the Ad Hoc Committee which was already adopted by that Committee. The question is not of including it in the CD report as yet - that might be the next step. So, on this understanding I wonder whether I may ask Mr. Mashhadi, through you, Mr. President, whether he can approve this report whose passage to the CD he has not blocked in the Ad Hoc Committee - whether he can approve this report here as something which has been reported to the CD, nothing more.

The PRESIDENT (translated from French): The delegations have heard the question, Mr. Mashhadi. I thought I was clear when I suggested to the Conference that we should adopt this report. Mr. von Wagner is quite right: this document was accepted as it stands now before you by the Ad Hoc Committee on Chemical Weapons, and the question of its inclusion in the report of the Conference is another matter. At the present stage the question is: do we

(The President)

approve the report of the Ad Hoc Committee on Chemical Weapons? I would be very grateful to Mr. Mashhadi if he would be good enough to answer Ambassador von Wagner's question.

Mr. MASHHADI (Islamic Republic of Iran): My Ambassador in the meeting of the Ad Hoc Committee said:

> "Due to this ongoing effort, therefore, and at this stage, we are only prepared to agree that this text be transmitted to the Conference on Disarmament, along with reservations which have been expressed ... I must stress that our final position vis-à-vis the text at the Conference on Disarmament will be contingent upon the final outcome of the discussions relating to article VIII."

That means that any decision, any position, by my delegation on the report as such will be contingent upon the outcome of discussions relating to article VIII.

The PRESIDENT (translated from French): I will repeat my question, then. Is the Conference prepared to approve the report introduced by Ambassador von Wagner and issued as document CD/1170? Are there any objections to our adopting this report? There are none. The report is therefore adopted. I thank you all for helping us through that important stage.

We now proceed to the second reading of the draft annual report of the Conference. During the first reading of the technical parts and the substantive paragraphs of the draft report, we considered the questions that arose, and changes were made which are now reflected in document CD/WP.428/Rev.1. In accordance with established practice, the Conference will go through the document section by section, since it has already been examined paragraph by paragraph in first reading. So we shall start with chapter I (Introduction). Are there any comments? There are none.

We now proceed to chapter II (Organization of work of the Conference), section A (1992 session of the Conference). Are there any comments? There are none.

Section B (Participants in the work of the Conference). Are there any comments? There are still none.

Section C (Agenda and programme of work for the 1992 session). Any comments? There are none.

Section D (Attendance and participation of States not members of the Conference). If there are no objections, we shall continue.

With regard to section E (Expansion of the membership of the Conference), I asked the secretariat to distribute the text of a proposal from the Western Group. I think that the proposal to which I refer appears in the report

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CD/WP.428/Add.1 as an amendment. I hope this will not pose any problem because this is a group proposal. If there are no comments, I shall take it that the proposed text is acceptable.

It was so decided.

The PRESIDENT (translated from French): Are there any other comments on section E? There are none.

Section F (Improved and effective functioning of the Conference). Are there any comments? There are none.

Section G (Communications from non-governmental organizations). Are there any comments? There are none.

We now continue our work with chapter III (Substantive work of the Conference during its 1992 session), paragraphs 21-24. Please note that in paragraph 24 new official Conference documents have been added, in particular that which was published under the symbol CD/1172 and which will reflect the statement made this morning by Ambassador Amorim concerning the amendments to the Treaty of Tlatelolco.

This brings us to section A (Nuclear test ban). In paragraph 26 the secretariat has added a reference to the fact that the Conference recently adopted paragraph 15 of the progress report on the thirty-fourth session of the Ad Hoc Group of Seismic Experts, as well as a sentence concerning the invitation to IAEA which we examined last week. In paragraph 28 the secretariat has also added a subparagraph (b) referring to document CD/1167. Are there any comments? There are none.

Section B (Cessation of the nuclear arms race and nuclear disarmament). I give the floor to Mr. Calderón, of the delegation of Peru.

Mr. CALDERON (Peru) (translated from Spanish): I did not want to interrupt the steady progress through this document only in order to point out that in the Spanish version of section B, paragraph 34, page 14, the last part of the sentence should be deleted so as to bring it into line with the English text, which is correct. I repeat: in paragraph 34 it is necessary to delete the Spanish phrase "with a mandate acceptable to all delegations", which it was agreed to remove.

The PRESIDENT (translated from French): That will be done in accordance with Mr. Calderón's wishes. Now we move to section B (Cessation of the nuclear arms race and nuclear disarmament). I observe that there are no comments. I thank the delegations for their understanding.

Section C (Prevention of nuclear war, including all related matters). Are there any comments? There are none. Let us move on to section D (Chemical weapons). The representative of Pakistan has asked for the floor, and I give it to him.

Mr. KAMAL (Pakistan): It is my presumption that we are talking of section D, paragraphs 72 to 74. Paragraphs 72 to 74 of this document, CD/WP.428/Rev.1, contain language which has been drafted by the secretariat on its own and which, unlike other parts of this report, have not had a first reading or been negotiated among member States. This is an unusual departure from established practice, particularly because one of these three paragraphs, paragraph 74, contains substantive ideas. My delegation has some views which it would like to present, but before it does so, I would like to ask, Sir, whether you intend to have a first reading of these three paragraphs in an informal meeting for a discussion of those paragraphs before they are submitted to the plenary for adoption, or would you like discussion to take place in the plenary itself?

The PRESIDENT (translated from French): I explained this morning in my opening statement that, given the time constraints, I would dispense with the informal consultations, on the basis of the well-known principle from the rules of procedure, well known to all legal scholars too, in view of the fact that pax major minorem ad se trahit, that the Conference on Disarmament is its own master, and decides on its own meetings. I will read you rule 19 in English because I have that version before me:

(continued in English)

> "The work of the Conference shall be conducted in plenary meetings, as well as under any other additional arrangements agreed by the Conference, such as informal meetings with or without experts."

(continued in French)

It was on the basis of this rule 19 that I thought I could dispense with informal consultations, thinking that, as far as chemical weapons were concerned, since we had adopted the report, we could conduct the first and second readings simultaneously. As for the initiative you attribute to the secretariat, concerning the drafting of paragraphs 73 and 74, I should like to point out that, while the secretariat did indeed draft the report, it did so under my responsibility and I fully shoulder that responsibility. Having said that, I should like to call on the Secretary-General of the Conference, who might perhaps wish to throw light on the situation.

Mr. BERASATEGUI (Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations): Just very briefly, to make a point concerning the actual drafting of these provisions under section D of the draft report. It has always been the practice of the secretariat to assume responsibility for the first drafting of the report, irrespective of whether it deals with organizational or substantive matters. Therefore, for example, in the case of agenda items 1, "Nuclear test ban", 2, "Nuclear disarmament", and 3, "Prevention of nuclear war", the first draft is always prepared by the secretariat. Therefore, this is the usual procedure. Ambassador Kamal is right in making the point that normally we deal with the report in informal meetings, but as you pointed out this morning, after you made the announcement at the last plenary meeting we received indications that a number of delegations wished to conduct the

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discussions on the report today at the plenary meeting, since this was an historic and very important opportunity. Accordingly, under rule 19 that the President has just mentioned, in order to have an informal meeting one has to have the agreement of the whole Conference. There was, at this point, the wish expressed by a number of delegations to continue in plenary, and therefore there was no agreement on holding the informal meeting. In the case of plenary meetings, there is no difficulty for the very simple reason that we have adopted a principle, which is reflected in document CD/1036 containing a decision on the improved and effective functioning of the Conference, whereby we hold one plenary meeting per week at certain stages and, as indicated in that document, preferably on Thursdays.

The PRESIDENT (translated from French): Does Ambassador Kamal find these explanations satisfactory? He has asked for the floor, and I give it him.

Mr. KAMAL (Pakistan): I am not challenging the right of the secretariat to prepare the first draft of the report - that is what the secretariat is for. Nor am I challenging the right of the President and the Conference to discuss things in plenary. I was only bringing to your notice that these three paragraphs have not undergone a first reading and that we are going straight into a second reading in plenary. But if that is the intention to do it in plenary, do I have your permission then to present the views of my delegation in plenary on these paragraphs?

The PRESIDENT (translated from French): Mr. Kamal can certainly do so. I think we can combine the first and second readings, that is, conduct a single reading. In any event these three paragraphs should not give rise to major difficulties. But it goes without saying that delegations are free to give their views on the content of these paragraphs; I am not imposing dictatorial rule and I would be happy to hear the comments of the representative of Pakistan on paragraphs 73 and 74, to which he referred.

Mr. KAMAL (Pakistan): My delegation has views which it would like to present, essentially on paragraph 74. Our understanding of paragraph 73 is that paragraph 73 annexes document CD/1170 to the report which is contained in CD/WP.428/Rev.1. Document CD/1170, which is annexed as a result of paragraph 73, is a document of 193 pages which consists of the report of the Ad Hoc Committee on Chemical Weapons and its annexes, and this report and its annexes it is my understanding we have just adopted in plenary. Having adopted it, and having inserted it in paragraph 73, the appendix to CD/1170, which is the draft text of the convention, is already now a part of paragraph 73. In other words, the draft convention, known as document CD/CW/WP.400/Rev.2, is already a part of paragraph 73.

We come now to the first sentence of paragraph 74, which says "The appendix to the report ... referred to in paragraph 73.42 is attached as appendix I to this report." In other words, we are now re-attaching the same appendix once again to CD/WP.428/Rev.1. The result is that CD/WP.428/Rev.1 will now have the draft convention which is CD/CW/WP.400/Rev.2 twice - once as

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an appendix to CD/1170, and once as an appendix as a result of paragraph 74. That is point No. 1. Point No. 2 relates to the second sentence of paragraph 74. This sentence is lifted from CD/1170, which is the report, in its paragraph 41, the last part of paragraph 41, which is the view of what was the accord of most delegations in paragraph 41 that this should be transmitted to the United Nations General Assembly for commendation and opened for signature at an early date. But we know that paragraph 41 of CD/1170 is not part of its conclusions. Conclusions start in paragraphs 42 and 43, and the key conclusion in paragraph 43 was to transmit the report and the appendix to the CD for its consideration. Because of that, it is our feeling that if we have to reflect what is called "the widely expressed view", then it would of course become necessary to express the contrary view also, but that would not be either elegant or desirable in an important report which is CD/WP.428/Rev.1 - the report of the CD. The report of the CD should, in the opinion of my delegation, reflect consensus - consensus exists on very important areas of this report. Consensus exists, for example, as far as I can see, unless one delegation withdraws its objection - an emerging consensus can be seen on the transmission of this report to the General Assembly. But to go beyond that and to highlight a non-consensus idea, which is the "wide expression", or another non-consensus idea which is the contrary view, would, in the view of my delegation, be undesirable in a report of this importance. So my delegation would like to suggest that we might consider re-wording the whole of this paragraph, paragraph 74, and we would be happy to suggest that consideration be given to a sentence of the type which says: "It was agreed that the draft convention as contained in the annex to the report of the Ad Hoc Committee on Chemical Weapons is transmitted to the General Assembly of the United Nations for its consideration". We can discuss that formulation and hear the views of other delegations and, if necessary, change it and amend it in order to arrive at agreed language which everybody can go along with and which can then go forward to the General Assembly as consensus language in the CD without showing any divisiveness in the ranks of this body.

The PRESIDENT (translated from French): First of all I should like to point out that perhaps there is some confusion. In my mind and in the mind of other members of this Conference, I think, nothing has yet been adopted in this section. We are discussing paragraphs 72 to 74, but I repeat, we have not adopted anything as yet. Earlier we adopted document CD/1170, which contains the report of the Ad Hoc Committee on Chemical Weapons; but now I am suggesting to you that we discuss and adopt paragraphs 72 to 74. We shall come to Mr. Kamal's proposal for an amendment to paragraph 74 when we have heard from delegations who wish to take the floor, i.e. the representative of the Islamic Republic of Iran, Mr. Mashhadi, and then the Ambassador of the United States, Mr. Ledogar.

Mr. MASHHADI (Islamic Republic of Iran): My delegation's view was expressed earlier, and since there are some consultations going on in this regard, may I request that we take a suspension here?

The PRESIDENT (translated from French): I thank Mr. Mashhadi for his suggestion, but first of all I would like to call on Ambassador Ledogar.

Mr. LEDOGAR (United States of America): With due respect to the Iranian delegation and Mr. Mashhadi, I think we could usefully use the time to solve the problem that we are currently discussing, and if there needs to be a suspension, that a suspension be granted to Iran and others who wish it, once we have everything ready to face the ultimate question. We have heard from our Pakistani colleague some comments on these paragraphs and obviously we are going to have to discuss them. With your permission, I would like to answer some of the observations on paragraphs 72, 73 and 74 that were made by Ambassador Kamal to see if we can't get this straightened out even as negotiations continue on the question. As I understand it has to do with distribution of executive council seats allocated to the Asian region. So, with your permission, I will continue, Mr. President.

First of all, with regard to the secretariat and first reading, I think the secretariat was absolutely right to produce a first draft along the lines that was produced. According to my records, in the sea-bed Treaty of September 1970, the predecessor body to this one, the CCD, wound up its concomitant or its analogous paragraph with precisely these words: "Hope was widely expressed that the draft treaty would be commended by the General Assembly and opened for signature at an early date." Similarly, in 1971, according to my notes, when the biological weapons Convention was under consideration, the identical sentence appeared in the concomitant paragraph: "Hope was widely expressed that the draft convention would be commended by the General Assembly and opened for signature at an early date." So it seems quite natural that in doing the first draft the secretariat would look to a precedent. The sentence was not, Ambassador Kamal, as I see it, lifted out of the CW Ad Hoc Committee report - rather it was lifted out of past history of this body and its linear predecessor organizations. Second, it does not say the same thing as the paragraph to which Ambassador Kamal referred - it does not quite say the same thing at all. As I read it, in paragraph 41 on page 40 of CD/1170, in which we say "most delegations ...", etc. etc., we are commending ourselves, that is, most of us are commending ourselves. It is true that we do go on to say that we are of the opinion that the draft convention should be transmitted to the General Assembly for commendation and opened for signature. What is said here is according to precedent of other treaties being forwarded to New York which unfortunately did not enjoy full consensus at the time they were transferred, which apparently is the case here. What most of us are saying here is that hope was widely expressed that the convention would be commended - it's quite different language. Now, do I understand that the Pakistani delegation would like to have the two sentences brought exactly into line so that they could be declared redundant? Well, that's not quite what I think ought to be done. If we do anything, I think we could make them crisply more different so that they could clearly be seen as different recommendations. There are various ways to do that, and I would be glad to suggest language if that should be the way you wish to go, Mr. President.

Mr. BATSANOV (Russian Federation) (translated from Russian): I too have a few questions on section D (Chemical weapons). The first question relates to paragraph 72. I think my question is a very technical question, and it is related to the following point. Paragraph 72 starts with the words "The list of new documents". If we look at the next section, "Prevention of an arms

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race in outer space", we see that it starts with the words "The list of documents". And I would simply like to ask: what is the difference here? Let the secretariat enlighten us about that. Similarly, paragraph 79 on page 32 of the English version also contains a sentence beginning with the words "The list of documents". If we look at the report CD/1170, we will see in the section on documentation, paragraph 5 starts with the words "During the 1992 session, the following official documents ...". So, briefly, my question is: why is the wording of this paragraph different from the wording of other corresponding paragraphs? And I wish to put that question. Subsequently, on paragraph 73, I have no particular comments. I simply think that here it will be necessary to put into effect the decision we recently adopted, fill in the gaps and say that today we adopted this report (the report of the Ad Hoc Committee). As for paragraph 74, I too do have a specific question about the duplication of the same document in the same report of the Conference on Disarmament. And in any case I don't understand the reference to paragraph 73.42. As for the last sentence, I have no objection to it (the last sentence in paragraph 74).

The PRESIDENT (translated from French): I thank Mr. Batsanov - we will try to answer his questions on the list of the documents, as well as the reasons for the present wording of paragraph 74. In fact, Ambassador Berasategui would like to shed the fullest possible light on this, so he has the floor.

Mr. BERASATEGUI (Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations): I hope I will be able to do it. The first point raised by Ambassador Batsanov concerns the use of the words "the list of new documents" and the reasons for the difference with paragraph 75 and other paragraphs in the report. In fact, it is exactly the same thing. When we say new documents, we mean documents submitted during 1992, while if you look for example at paragraph 75, it says "the list of documents presented to the Conference during its 1992 session" - that makes the difference. It is simply a drafting arrangement which we have been following for a number of years and has no other consequence.

The second point on paragraph 73 - yes, you are absolutely right: this is a technical text which is introduced in the report, so that once the report of the Ad Hoc Committee is adopted, we place it here.

The third point which you have raised concerns paragraph 74. Here, we are referring to paragraph 42 of the report of the Ad Hoc Committee on Chemical Weapons. This paragraph 42 states: "The results of the negotiations on the draft convention are reflected in the appendix to this report ...", and since the report of the Ad Hoc Committee will appear in paragraph 73 for identification purposes, it is necessary to indicate 73.42. The sense of the sentence is not to repeat the appendix to the CW report, but simply to move it as an appendix to the annual report of the Conference to the General Assembly. We thought that this was a matter-of-fact operation for a number of reasons. First of all, because it has always been the practice of the negotiating body to transmit the agreements reached here to the General Assembly as appendices to the annual report. Every case has followed this precedent. The second point that I wish to make in this connection is that this practice has not

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only been applied to draft treaties or conventions - in certain cases we have done so with other important documents. For example, in 1982 the Conference transmitted to the second special session of the General Assembly devoted to disarmament the draft of the comprehensive programme of disarmament also as an annex to the annual report of the Conference. And finally, the third reason why we felt in the secretariat that the appendix to the report of the Ad Hoc Committee should be moved as an appendix to the annual report is the text of resolution 46/35 C of the General Assembly, in which we can note in paragraphs 2 to 5 of the operative part the request addressed to the Conference to report - it is not a request to the Ad Hoc Committee on Chemical Weapons, it is a request made to the Conference on Disarmament. This becomes clear because, in particular, the work of the Ad Hoc Committee on Chemical Weapons is noted in paragraph 2, while in the subsequent paragraphs it is the Conference which is requested to report on the draft convention, that is, on the results of the negotiations, which is exactly the sentence contained in paragraph 42 of the report of the Ad Hoc Committee on Chemical Weapons. If you will allow me, Mr. President, briefly to explain a last point concerning the second sentence in paragraph 74, Ambassador Ledogar is right - we have, in fact, taken into account similar wording which was used in the case of the sea-bed Treaty as well as in the Convention prohibiting biological weapons - this is exactly the text which appears there. I think for the moment I have nothing else to add.

The PRESIDENT (translated from French): I really do hope that the explanation we have heard from the Secretary-General of the Conference will reassure delegations which had doubts. Obviously, procedural matters are not always absolutely clear, but what must be understood is that there is no ulterior motive in the wording of the paragraphs under consideration. The aim is simply to transmit a report to the General Assembly in the best possible way, and we must include it in our overall report. I give the floor to the representative of the Russian Federation again, and I hope that he finds the explanation provided by Ambassador Berasategui satisfactory.

Mr. BATSANOV (Russian Federation) (translated from Russian): I have no suspicions about ulterior motives. It is simply that if in paragraph 72 we were trying to have the same sort of ideas as in paragraph 75, then why couldn't we have the same wording? Otherwise questions will arise as to why it is put differently; maybe a reference to a particular document has been omitted? I thought it was quite a simple and elementary question, especially as in paragraph 5 of CD/1170 it says: "During the 1992 session ...". I see no ulterior motives at all here. But I thought it would have been simply more reasonable to have it in proper order. Turning to the combination of the two figures 73 and 42, I cannot for the life of me understand what this means. And I am simply very afraid that all this will severely confuse readers because Mr. Berasategui will not be able to clarify every time to everybody interested what is meant by paragraph 42 of report CD/1170. I think something has to be done here, because at the moment - maybe I am too stupid, but I simply can't see what 73.42 means.

The PRESIDENT (translated from French): I thought that our Secretary-General's explanation was clear; it seems that that is not yet the case. I give the floor to Ambassador Kamal.

Mr. KAMAL (Pakistan): I join Ambassador Batsanov in his confusion, which by now is being called "being well informed". The problem is that we are discussing three separate ideas together. Perhaps, I think, the best way would be to go down this part D paragraph by paragraph and, if you agree, perhaps we can start with paragraph 72. On paragraph 72 I agree with Ambassador Batsanov that one can word it better by saying "the documents presented during the 1992 session" in order to obviate any chance of misunderstandings later on. My suggestion at the moment is that we consider these three points paragraph by paragraph and not the section as a whole. If you agree, then I will, for the moment, restrict myself to having said what I have said on paragraph 72 only.

The PRESIDENT (translated from French): The delegations will no doubt remember that the whole discussion started when we were taking up section D (Chemical weapons). Delegations did not leave me the time to take it up paragraph by paragraph - objections were voiced on the manner of undertaking this examination, in an informal or formal meeting, even before we were able to do so. But I will willingly now proceed to examine it paragraph by paragraph, which as I understand it implies the agreement of the Conference to our proceeding in that way. In order to avoid any later confusion I suggest that we now take up paragraph 72, on the list of documents presented to the Conference. All these documents are listed in document CD/1170. I do not know whether they should all be listed here, if that is what Ambassador Batsanov has in mind, or whether it is simply that the wording of this paragraph should be exactly the same as, for example, in paragraph 75, which reads as follows:

> "The list of documents presented to the Conference during its 1992 session under the agenda item is contained in the report submitted by the Ad Hoc Committee referred to in the following paragraph."

That is one way of looking at the matter, but there are two representatives who wish to speak on paragraph 72, first of all the representative of Hungary, Mr. Tóth, and then the representative of Algeria, Mr. Semichi.

Mr. TOTH (Hungary): For my delegation this is not a real problem, but if it poses some difficulties for others I think we should solve it in a way so as not to complicate the problem any further. If we add the notion of 1992, by that we exclude several documents from the list of documents which are dated 1991. So my suggestion would be a very very simple one and I would suggest to put it for adoption - to drop the word "new" and to say the "list of documents presented to the Conference."

The PRESIDENT (translated from French): I thank Ambassador Tóth: there at least is a constructive proposal. Does the way in which Mr. Tóth presented things help Mr. Batsanov to eliminate his doubts? While he is thinking about it, I call on the Ambassador of Algeria, Mr. Semichi.

Mr. SEMICHI (Algeria) (translated from French): Three uncertainties have emerged after what was said by the Ambassador of Pakistan and the Ambassador of the Russian Federation on the section of document CD/WP/428/Rev.1 relating to chemical weapons. I take paragraph 72: there is an uncertainty in the drafting that was partially removed by the Secretary-General himself, Mr. Berasategui, when he said earlier that the wording of paragraph 72 was identical to that of paragraph 75 and that the documents to which reference was made were those which had been submitted in 1992. I therefore suggest that the wording of paragraph 72 should be similar to that of paragraph 75. Next, in paragraph 73, there is an ambiguity between the report contained in document CD/1170, part I, and the annex to that report: we do not quite understand why paragraph 73 speaks of the report and gives its symbol - CD/1170 - whereas paragraph 74, dealing with the same document, refers only to the annex to that report. I think that paragraph 73 should specify that this report is reproduced in part I or paragraphs 1 to 42 or 43 of document CD/1170, the second part of which contains only the appendix. Those are the initial remarks that I will make just on the subject of the drafting of paragraphs 72, 73 and 74. The Algerian delegation reserves the right to take the floor later on the political implications of the last part of paragraph 74.

The PRESIDENT (translated from French): I thank Ambassador Semichi for his comments and suggestions. Concerning his first comment and the solution involving identical wording for paragraphs 72 and 75, I think that if we adopt the same wording and refer to 1992 in the paragraph on chemical weapons we may leave a gap, because, as Ambassador Tóth said, document CD/1170 also mentions documents which date from 1991. That is why the year 1992 was not referred to in document CD/WP.428/Rev.1. Consequently I think the solution would be to go along with the proposal made by Mr. Tóth and delete the word "new" in the phrase reading as follows: "The list of new documents presented to the Conference under the agenda item is contained in the report submitted ...". If we said simply "the list of documents presented to the Conference" that would cover both those which were presented previously and those presented more recently. I see that the representative of the United Kingdom, Sir Michael Weston, is the first to have asked for the floor on these points.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): I was going to concentrate first on paragraph 72. I think the trouble with Ambassador Tóth's suggestion is that the list may be rather long because presumably that will go back to the beginning of time, or at least to the beginning of the negotiations, so we shall have 24 years' worth of documents attached if we don't set some sort of time-limit. On the other hand, I take his point very much that if we refer only to 1992 we do not capture the 1991 documents, and so perhaps a solution would be to use the phrase "since the close of its 1991 session" and that would then bring in all documents which have appeared since the close of the last session in September of last year.

The PRESIDENT (translated from French): My understanding is that the list in question is that which appears in paragraph 5 of CD/1170, which lists all the relevant documents and begins:

(continued in English)

"During the 1992 session, the following official documents dealing with chemical weapons were presented to the Conference on Disarmament:"

- and there is only one dated 9 October 1991 as I see it.

(continued in French)

I may be wrong, but I think that the list of new documents presented to the Conference during the present session is indeed that list. But I have no monopoly of understanding. At all events, we continue to flounder in confusion, which is not necessarily a bad thing in itself. I give the floor to the representative of Peru, Mr. Calderón.

Mr. CALDERON (Peru) (translated from Spanish): Very briefly, and on this point, my delegation feels that the two positions put forward certainly deserve to be taken into account. Consequently, one ventures to make a suggestion which takes account of both elements, and which I shall read out in English. On the basis of the text that appears in paragraph 72, one suggests the following:

(continued in English)

"The list of new documents presented to the Conference during its 1992 session under the agenda ..."

(continued in Spanish)

- and from there the text would continue as at present. As can be seen, we keep the word "new" and at the same time we place emphasis on "during its 1992 session".

The PRESIDENT (translated from French): I think we are spending a lot of time on trifles. I would even go so far as to paraphrase Voltaire and speak of weighing flies' eggs in gossamer scales as far as this list of documents is concerned. Is this really vital for the transmission of the documents to New York? For me the burden of everything that has been said is that maybe we should make paragraph 72 a bit more precise. Would there be any objection to the proposal just made by Mr. Calderón, to draft paragraph 72 as follows: "The list of new documents presented to the Conference during its 1992 session under the agenda item is contained in the report submitted by the Ad Hoc Committee referred to in the following paragraph."? Does this solution seem clear to everybody and does it allay everybody's apprehensions? It seems that there are no objections. So I hasten to bring down the gavel on paragraph 72. One down, two to go.

(The President)

For paragraph 73 and the comment - made by Ambassador Batsanov, I think - on the dots that appear here, it goes without saying that the dots must be replaced by a text that would read as follows:

> "At its 635th plenary meeting, on 3 September 1992," - always provided that we finish before midnight! - "the Conference adopted the report of the Ad Hoc Committee reestablished by the Conference under the agenda item at its 606th plenary meeting (see paragraph 8 above). That report (CD/1170) is an integral part of this report and reads as follows:".

I assume the Conference will be kind enough not to force me to read out the whole of CD/1170, which will be reproduced here, following paragraph 73. However, if it insists on my reading it in full, I will have to ask for another glass of water, or else I might not make it. Does the suggested text of paragraph 73 seem clear as I have just read it out? It goes without saying that immediately after the colon following the sentence "That report (CD/1770) is an integral part of this report and reads as follows" an account will be given of the work of the Conference, and that of course is likely to take up a lot of room in the final report. May I take it that things are now sufficiently clear as regards paragraph 73? I give the floor to the Ambassador of Argentina, Mr. Lanûs.

Mr. LANUS (Argentina) (translated from Spanish): I am sorry for taking the floor on this point, but I think that what was said by the Ambassador of Algeria was very relevant and I would say that it satisfactorily meets the concern of Ambassador Kamal. If we are going to mention in paragraph 73 the entire text together with the appendix and then in paragraph 74 say that we have an appendix at the end, I would say that it would be better to put the first part of the report in paragraph 72, and then include the appendix as an appendix. In this way we avoid repetition, because otherwise the document contains the agreement on chemical weapons twice. So I think that here, in paragraph 73, specifically, we should put the following: "This report [the first part of this report] reads as follows:" (and we would add the text up to paragraph 42); and in paragraph 74 we would say: "the convention on chemical weapons is attached as an appendix to this report", because otherwise we would have a huge insertion in the middle of this section. I think in this manner we can respond to what was said by Ambassador Kamal and also what in fact was proposed by the Ambassador of Algeria. And from then on there are no problems.

The PRESIDENT (translated from French): The confusion, I think, comes from the very fact that some delegations have the idea that the text of the convention will appear twice, whereas the President and the secretariat have in mind to say in paragraph 74 that the appendix to the Ad Hoc Committee's report - that is, the text of the convention - is reproduced as an appendix to the report of the Conference to the General Assembly; there is no question of repeating this text twice. I think that is it, but I will ask Ambassador Berasategui to confirm it for me.

Mr. BERASATEGUI (Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations) (translated from Spanish): Absolutely, Sir. The statement that was made by the distinguished representative of Argentina clarifies the matter in the same way as the representative of Algeria did earlier. Here we are talking about paragraph 73 of the report of the Committee only - not the appendix, and so the appendix will appear in the text of the annual report of the Conference to the General Assembly as appendix I.

Mr. KAMAL (Pakistan): I continue to be confused. Paragraph 73 says that CD/1170 is an integral part of paragraph 73. Document CD/1170 is a document in 193 pages - it cannot be divided into two parts called first part and second part - it is one document; CD/1170 is one single integrated document of 193 pages and if we adopt the wording as it is in paragraph 73, then the whole of that report is then going to be a part of paragraph 73. I do not see what is the meaning of the word "first part" because the word does not exist in CD/1170 at all - if you take CD/1170 it says "Report" which starts from page 1 and it goes to page 193, so how are we going to adopt paragraph 73 as it is and still leave out, as we are told by the Secretary-General, the appendix of CD/1170 which is a part of CD/1170?

The PRESIDENT (translated from French): Ambassador Kamal is right to talk about confusion, because the simpler things seem to me, the more complicated they become. That reminds me of what was written by the Swedish Statesman Axel Oxenstierna in 1648 on the occasion of the conclusion of the Treaty of Westphalia, which he described as confusio divinitus conservata. We are all contributing to this confusion, which I would like to see dispelled as soon as possible. I hope that what Ambassador Ledogar is going to say will help us to do so.

Mr. LEDOGAR (United States of America): Perhaps the confusion - if there is any real confusion - is caused by the fact that some may have a different document than I have. If I turn to page 41 of CD/1170, which is the end, that is, "Conclusions and recommendations", and then I come back to page 1 - maybe Ambassador Kamal's version is different but mine is not a single integrated document of 193 pages - it's two documents, the body in 41 pages and appendix in 193 pages for a total of 234 pages. Now, it seems to me the issue is simply whether at this point we interrupt with an insert of 41 pages or do we interrupt here with a two-centimetre-thick insert of 234 pages? I understand very clearly, as has been pointed out by our Argentinian colleague and the Secretary-General, that the purpose is not duplication - there will be no duplication - the purpose is simply to take the bulk of this document and put it at the end, which is, as I understand it, the way it has always been done in the past. So, I don't know what the confusion is - if it's real or if it's something else.

The PRESIDENT (translated from French): I would tend to agree with Mr. Ledogar. For some time now we've been trying to explain that reproducing the text of the convention once as an annex to the report published under the symbol CD/1170 and again as an annex to the report of the Conference on Disarmament seems to be a crazy waste, at which several delegates have in fact protested. I call to witness our colleague Mr. Felício, who has dwelt on this

(The President)

matter at length in the appropriate forums. Paragraph 73 as drafted is of course related to paragraph 74. But if I understand properly there is no objection to the present wording of paragraph 73, on the understanding that the text of the report will be inserted. The only question is whether the appendix containing the text of the convention can be separated from the main body of the report and be appended, as it says in paragraph 74. So, once we resolve that problem, there will be no problem! The more questions I hear raised, the clearer the matter seems to me. Can paragraph 73 as now worded be adopted?

Mr. KAMAL (Pakistan): The first sentence of paragraph 73 says that the Conference adopted the report. What is the report that we have adopted? Is it a report in 41 pages? Or is it a report in 41 plus 193 pages? My understanding is that the report that we have adopted a few minutes ago is 41 plus 193 pages. If that understanding is not correct, then the implication is that we have only adopted (in the first sentence of paragraph 73 what we are saying is that we have adopted "only") the first 41 pages of CD/1170. That is factually incorrect. My understanding is that we have adopted 41 pages plus 193 pages, when we say that the Conference adopted the report which refers to the whole of CD/1170 which is 41 plus 193 pages. In the second sentence, we are talking of that report - the word report has to have the same meaning; the first "report" cannot mean 41 plus 193 pages and in the same paragraph the second word "report" means only 41 pages - it's a very big change in the same paragraph, so some re-drafting is necessary in order to clarify this confusion. The way to get out of it is to leave the first sentence as it is, interpreting the word "report" to mean 41 plus 193, and to change the second sentence by saying "the main body of the report (CD/1170), pages 1 to 41" or "paragraphs 1 to 43", or something like that, then it is clear that we are referring to only part of the report, which is the first 41 pages, in the second sentence, and then the question of duplication will have been resolved and we will be nearer to a solution when we come to paragraph 74. But until that drafting change is done, there is confusion in paragraph 73 and duplication in paragraph 74.

Mr. TOTH (Hungary): In the report of the Ad Hoc Committee in paragraph 43, we have a reference to the report and its appendix. I would suggest to use the same formulation and to refer to the adoption of the report and its appendix, and then if the wish of the Conference is to include under that paragraph only the report, then it will be clear that we are referring only to the report and not to the report and the appendix. So my suggestion would be that in the first sentence we refer to both the report and its appendix, and in the second sentence, according to the wish of the Conference, if this will be the wish, to refer only to the report.

The PRESIDENT (translated from French): I thank Ambassador Tóth - yet again a constructive proposal. I give the floor to Ambassador Ledogar.

Mr. LEDOGAR (United States of America): Perhaps this could be made easier if, in effect, we moved the first sentence of paragraph 74 into 73 and

(Mr. Ledogar, United States)

made 73 a second sentence to read as follows: "That report of 234 pages (CD/1170) is an integral part of this report and the main body of 41 pages follows. The appendix of 193 pages to the report [etc. etc.] is attached as appendix I".

The PRESIDENT (translated from French): I thank Ambassador Ledogar - I'm not sure I caught the full wording he proposed, but I am grateful to him. We will consider it once we have heard the representative of the Russian Federation.

Mr. BATSANOV (Russian Federation) (translated from Russian): I think that the proposals made by Ambassador Tóth and Ambassador Ledogar contain an idea which will help us to draft what we want to say with a much greater degree of clarity. In my view, it is a good idea to proceed as proposed at the beginning by Ambassador Tóth: to refer to both the report and the appendix in the first sentence of paragraph 73. And maybe, at the same time, it would be a good idea to indicate after that in brackets exactly what report and what appendix we are talking about, namely document CD/1170. After that, I think, we could simply say that the report is an integral part of the report of the Conference, and reproduce paragraphs 1 to 43, and then use Ambassador Ledogar's idea of combining paragraphs 73 and 74 and talk about the appendix. And then, I think, everything will be much clearer: the only point remaining is the figure 73.42, which for some reason I don't like; all the same some other way of putting it has to be found. But maybe we don't need it at all, since we have been talking about the report and about the appendix, and if we continue this paragraph 73 and refer to the appendix, we will not need any further clarifications. Consequently we could simply say "the appendix to the report of the Ad Hoc Committee on Chemical Weapons is attached as appendix I to this report", and then I think everything would be clear.

The PRESIDENT (translated from French): Do the proposals made by Ambassador Ledogar and those made by Ambassador Batsanov, jointly or almost - since they come to the same thing - meet with the agreement of this assembly? I am going to ask the Secretary-General of the Conference to be so kind as to reread to us paragraph 73 and the part of paragraph 74 which would be moved into 73. I give him the floor.

Mr. MENASATEGUI (Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations): Paragraph 73 would then read as follows:

> "At its 635th plenary meeting, on 3 September 1992, the Conference adopted the report of the Ad Hoc Committee re-established by the Conference under the agenda item at its 606th plenary meeting (see paragraph 8 above). That report (CD/1170) is an integral part of this report and its main body (pages 1 to 41) follows below. The appendix to the report of the Ad Hoc Committee on Chemical Weapons is attached as appendix I to this report."

Immediately afterwards, between quotation marks, would appear pages 1 to 41 of the report of the Ad Hoc Committee.

The PRESIDENT (translated from French): Can this solution secure the Conference's approval? I am still wavering, I don't know who was first to ask for the floor - I think it was Ambassador Tóth.

Mr. TOTH (Hungary): I think Ambassador Batsanov made a different proposal and I think he might repeat his proposal verbally.

Mr. BATSANOV (Russian Federation) (translated from Russian): In my proposal, I tried to put together the ideas expressed by Ambassador Tóth and Ambassador Ledogar, although this does not mean that I have any objections in particular to the proposal made by Ambassador Ledogar; it just seemed to me that putting together what was proposed by Ambassador Tóth and Ambassador Ledogar would help us to find an elegant way out. In a nutshell, my proposal was the following:

(continued in English)

First we take paragraph 73, which should read: "At its 635th plenary meeting, on 3 September 1992, the Conference adopted the report and the appendix to the report of the Ad Hoc Committee re-established by the Conference under the agenda item at its 606th plenary meeting (see paragraph 8 above)" - and I think that perhaps the reference to CD/1170 can be moved into the first phrase - somewhere after the words "appendix to the report". Then the second phrase would read "That report" - and without the reference to the number, because it was already in the first sentence - so the second sentence would read: "That report is an integral part of this report and reads as follows", and then we put paragraphs 1 to 43 from CD/1170, and then we continue, we make the present paragraph 74 a continuation of paragraph 73, so we don't have a separate paragraph for that, and say "the appendix to the report of the Ad Hoc Committee on Chemical Weapons", and since it is already clear from the context and from the previous phrases in this paragraph, we would not need the words "referred to in paragraph 73.42", so the phrase would read: "The appendix to the report of the Ad Hoc Committee on Chemical Weapons is attached as appendix I to this report", and hopefully that would take care of the situation and that is, in fact, what I propose in this case.

The PRESIDENT (translated from French): I thank Ambassador Batsanov for these clarifications, which I find excellent - things are now dazzlingly clear. Can the proposal as formulated by the representative of the Russian Federation be adopted? The representative of Pakistan has the floor, to be followed by the representative of Sweden.

Mr. KAMAL (Pakistan): The text read out by Ambassador Batsanov would meet the requirement except that in the second sentence of paragraph 73, instead of just using "report", perhaps "the main body of the report is an integral part of this report and reads as follows" would be a slightly better formulation. In that case, it would read as follows: "At its 635th plenary meeting, on 3 September 1992, the Conference adopted the report and the appendix to the report of the Ad Hoc Committee re-established by the Conference under the agenda item at its 606th plenary meeting (see paragraph 8 above). The main body of the report is an integral part of this report and

(Mr. Kamal, Pakistan)

reads as follows:" - and we reproduce pages 1 to 41 and we carry on: "The appendix to the report is attached as appendix I to this report". That would meet the point which had been raised by me.

The PRESIDENT (translated from French): The difficulty I see is that this latter wording mentions the main body of the report which the Conference adopts but skirts round the essential outcome of our work, that is to say, the appendix and the text of the convention. I think the proposal made by Ambassador Batsanov is clearer. It at least had the merit of covering the report and its appendix. I see that Ambassador Tóth is of the same opinion. Ambassador Hyltenius had asked for the floor.

Mr. HYLTENIUS (Sweden): Perhaps we could get around that difficulty if we had in Ambassador Kamal's formulation in the last sentence: "The appendix to the report of the Ad Hoc Committee on Chemical Weapons, containing a draft convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction, which also constitutes an integral part of this report, is attached as appendix I". That would give them equal status and it would also make it clear what is in the appendix - I think that might be also a way out because in the following sentence we refer to the draft convention and there is no mention so far in the paragraph about the draft convention. So I suggest that with such wording we might cover these aspects.

The PRESIDENT (translated from French): I thank Ambassador Hyltenius for his contribution. However, I still believe that the proposal made by Ambassador Batsanov has the merit of bringing together most of the views that have been expressed so far. My sole concern is that we should not get bogged down in a procedural discussion. You all know as well as I do that when procedural arguments are involved in a trial, it is because the cause itself is a sick cause. I don't think that our convention on chemical weapons deserves such treatment. I give the floor to the representative of Italy.

Mr. FRANCESE (Italy): We believe that there is something positive in the Swedish proposal, and we should also bear in mind that sometimes a simple solution is the best. It strikes my delegation that the designation of the convention as such does not appear in these three paragraphs devoted to its adoption, and thus we would suggest a solution which may encompass both the legal point made earlier by Ambassador Kamal and all the positive elements that other colleagues here have announced - all while respecting the present structure of these three paragraphs. If you will allow me, Mr. President, I will give you my reading of a possible solution, which is as follows:

> "73. At its ... plenary meeting, on ... 1992, the Conference adopted the report of the Ad Hoc Committee re-established by the Conference under the agenda item at its 606th plenary meeting (see paragraph 8 above) and the draft convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction appended to it."

And the rest stays as it is.

The PRESIDENT (translated from French): I thank Mr. Francese for his proposal. I try to get everything down, but unfortunately I haven't the training of a shorthand typist. What also adds to the confusion in my mind is that whenever a wording is suggested to me, I have the impression that I have heard it before, but of course that is not the case. I give the floor to the representative of the United States.

Mr. LEDOGAR (United States of America): I see merit in what Ambassador Kamal said before, that when we talk of the report, we should speak of the report as the 234-page document - the two parts. I see merit in the Tóth/Batsanov proposal, with the amendment that when we talk of the report we say "of 234 pages with a main body of 41 pages" and when we talk of the appendix, I would even put in the 193 so that there would be no confusion whatsoever. But I think we are all headed in the same direction that the insert here will be of 41 pages, although we recognize that everything was adopted and it all will be expressed and not duplicated.

Mr. MULLER (Germany): From our point of view, the suggestion by Ambassador Batsanov would seem the most simple one, to make clear at the beginning of paragraph 73 that one document, CD/1170, consisting of the report and the appendix, was adopted, and then follow with the wording suggested by Ambassador Batsanov.

The PRESIDENT (translated from French): Thank you, Mr. Müller - that was what I had understood. The awkward thing is that I haven't the complete text of the paragraph suggested by Ambassador Batsanov in front of me. Could I ask the latter to re-read his proposal slowly? I think that would be a good basis for reaching agreement in this assembly.

Mr. BATSANOV (Russian Federation): Yes, I will do that with pleasure.

"73. At its 635th plenary meeting, on 3 September 1992, the Conference adopted the report and the appendix to the report of the Ad Hoc Committee (CD/1170) re-established by the Conference under the agenda item at its 606th plenary meeting (see paragraph 8 above). That report is an integral part of this report and reads as follows:"

And then we put what I think we all agreed to put there, the 43 paragraphs. And then, without making the next paragraph a paragraph with a separate number, we would continue: "The appendix to the report of the Ad Hoc Committee on Chemical Weapons is attached as appendix I to this report. Hope was widely expressed ...", etc., until the end of what used to be paragraph 74.

The PRESIDENT (translated from French): I thank Ambassador Batsanov: his proposal is clear. I raise my gavel and ask the Conference whether it wishes to adopt the proposal as worded. It does not wish to do so. The representatives of the United States, the United Kingdom, Sweden and Pakistan have asked for the floor.

Mr. LEDOGAR (United States of America): From my point of view, we are getting close but we still need two additional elements. One is the one generally agreed upon and identified by our Swedish colleague - "the appendix to the report of the Ad Hoc Committee containing a draft convention", etc., etc. And the second missing item is words in that sentence to the effect that it is also an integral part of this overall CD report - and with those two fixes, I think we've got it.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): I must say I think the clearest formulation is that which has been proposed by our Italian colleague, which puts the appendix at the end of the sentence rather than in the middle, where it comes between the Ad Hoc Committee and its report in a very inelegant way. It seems to me that it reads much better as our Italian colleague suggested, that is to say, leaving the first sentence of paragraph 73 as it is, with the words at the end after the brackets, "(see paragraph 8 above)" - after closing that bracket - "and its appendix, containing the draft convention", and then the full title of the convention, or, if you prefer, "containing the convention appended to it", which was exactly what our Italian colleague suggested. It doesn't seem to me that it matters which of the two you do - the advantage of saying "its appendix" is that that is actually the word used in CD/1170, and then you could continue with "the report" - to make clear that you were not talking about the appendix - "the report is an integral part of this report and reads as follows:", and then it would be set forth below, the 43 paragraphs of it, and then paragraph 74 could continue: "The appendix is attached as appendix I to this report", and that simplifies that sentence also.

The PRESIDENT (translated from French): I thank Sir Michael Weston. However, I would ask him to specify whether he wishes to put the very last phrase - "The appendix to the report of the Ad Hoc Committee on Chemical Weapons is attached as appendix I to this report" - into paragraph 73, or to leave it in paragraph 74. The proposal was to put the first sentence of paragraph 74 in paragraph 73, for greater consistency. Is that also what is proposed by Sir Michael Weston? In other words, should the appendix to which reference is made be taken up in paragraph 73 or should it stay in paragraph 74? Or doesn't it matter?

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): I think it would be better to put it up as a concluding sentence of paragraph 73, though, of course, it is going to look slightly odd, I suppose, because that paragraph is going to have 43 other paragraphs in it, but then if one wishes to have a gap, and then this one sentence, that would seem to be the simplest way.

The PRESIDENT (translated from French): Ambassador Hyltenius is the next speaker on my list. Would he also be kind enough to re-read his proposal?

Mr. HYLTENIUS (Sweden): Yes, I will gladly do that. I think I'll be rather brief. The essential things for me have already been picked up by Ambassador Ledogar. I think we should spell out what's in the appendix - it should not be an anonymous thing - it's after all the draft convention on which we have worked for so many years, it should be mentioned. Secondly, it

(Mr. Hyltenius, Sweden)

should be absolutely clear that the appendix is also an integral part of the report of the CD - I think this is very important - there should be no difference between what some call the main part of the report and the appendix, they are absolutely on the same footing. I only had a real proposal for the last sentence, which could read as follows: "The appendix to the report of the Ad Hoc Committee on Chemical Weapons, containing a draft convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction, which also constitutes an integral part of this report, is attached as appendix I". But there are many other formulations which are good - I thought also the Italian formulation was very good and Sir Michael's as well.

The PRESIDENT (translated from French): We now have a proliferation of proposals, which, while welcome, should nevertheless be merged. I give the floor to the representative of Pakistan - would he have a miracle solution?

Mr. KAMAL (Pakistan): I have another formulation which I think will meet all the requirements and which would read as follows:

> "At its 635th plenary meeting, on 3 September 1992, the Conference adopted the report of the Ad Hoc Committee re-established by the Conference under the agenda item at its 606th plenary meeting (see paragraph 8 above), as well as its appendix [or "as well as the appendix to the report"]. Both the report and the appendix form an integral part of this report. The report reads as follows: ... [and we reproduce it]. The appendix to the report is attached as appendix I to this report".

Now, this meets all the requirements. The only point which is not covered is the point of Ambassador Hyltenius, and if that is generally agreed to by everybody, we can go along even with that.

Mr. LEDOGAR (United States of America): I think we can pull them all together as follows. The first two sentences as set forth by our Italian and British colleagues. The next sentence, that is to say, currently the final one in paragraph 73, would bring up the first sentence in 74 and wrap them together as follows: "That report is set forth immediately below this paragraph. The annex to the report, containing the draft convention, is set forth in appendix I to this report." And then the final sentence: "Both are contained in CD/1170, and both are an integral part of this report."

Mr. FRANCESE (Italy): As you see, Mr. President, the diversity of versions is being slimmed at the moment, and we cannot but express our satisfaction at that. I believe that this re-reading given by Ambassador Ledogar satisfies all the requirements of all delegations which have spoken up to this point. I would just suggest a minor addition. In the first sentence of paragraph 73, when you reach the point when you mention the appendix, you should clarify "and the draft convention appended to it". I think there you want to have the full title of it for the first time, because this I think is going to be one of the many innovations we are now rendering to this draft, by mentioning the title of the main object we are pursuing, and it would be quite unusual if we omitted it.

The PRESIDENT (translated from French): I thank Mr. Francese. I think this specific mention also appeared in the constructive proposal made by Ambassador Hyltenius - it is true that at no point was the convention referred to in full. I give the floor to the representative of the United Kingdom.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): It seemed to me that we had not given proper consideration to Ambassador Kamal's proposal, which I thought was very clear and really much simpler than anything else we have come up with.

The PRESIDENT (translated from French): I thank the Ambassador of the United Kingdom. I was ready to do so, but the delegations have been constantly coming to put their names on the list of speakers and keep the debate going. At this stage, before I give the floor to the representative of the Russian Federation, I would like to ask this assembly whether it agrees with what Sir Michael Weston has just said and whether it wishes to adopt the proposal that Ambassador Kamal has just made. Ambassador Ledogar has the floor.

Mr. LEDOGAR (United States of America): I would need to hear it again. It seemed to me there was an important missing element - I would need to hear it again, please.

The PRESIDENT (translated from French): Could Ambassador Kamal re-read the proposal he made?

Mr. KAMAL (Pakistan): My proposal would read as follows:

"73. At its 635th plenary meeting, on 3 September 1992, the Conference adopted the report of the Ad Hoc Committee re-established by the Conference under the agenda item at its 506th plenary meeting (see paragraph 8 above), as well as its appendix. Both the report and the appendix form integral parts of this report. The report reads as follows: [reproduction]. The appendix to the report of the Ad Hoc Committee on Chemical Weapons, which contains the draft text [etc. etc.], is attached as appendix I to this report."

The PRESIDENT (translated from French): I thank Ambassador Kamal - I wasn't able to note everything but I think we are coming closer to the solution. Does the latest reading of the paragraph by Ambassador Kamal dispel the fears of Ambassador Ledogar?

Mr. LEDOGAR (United States of America): It seems to me that the missing element is that which was first identified by our Swedish colleague, namely, when you referred to "and its appendix", the very last part, Ambassador Kamal said "both the report and its appendix from an integral part" - you need to put in there "both the report and its appendix containing the draft convention", etc. The words "containing the draft convention" are necessary as Ambassador Hyltenius pointed out so that the next thought in the second sentence of paragraph 74 will make sense when we come to it.

The PRESIDENT (translated from French): I think we are all in agreement on referring to the convention. I do not think Ambassador Kamal has any objection to identifying the appendix, saying that it contains the draft convention. I give him the floor straight away to respond to that specific point.

Mr. KAMAL (Pakistan): I have no problem with Ambassador Ledogar's formulation. I have used the clarification of the appendix in the next sentence, but if you want it in the first sentence, there is no problem, in which case, sentence one stays as it is but we add at the end: ", as well as its appendix containing the draft convention [etc. etc.]. The report reads as follows: [reproduce]. The appendix to the report of the Ad Hoc Committee is attached as appendix I of this report." I'm sorry - there is a middle sentence which is: "Both the report and its appendix are integral parts of this report."

The PRESIDENT (translated from French): I thank Ambassador Kamal - I am trying to note everything. We seem to be heading gradually towards a solution. First on the list of speakers is Mr. Calderón of Peru.

Mr. CALDERON (Peru) (translated from Spanish): Very briefly, I simply wish to express my support for what has just been said by Ambassador Kamal in relation to the addition at the end in which the title of the convention is mentioned.

Mr. FRANCESE (Italy): We also view this as an excellent structure. I would just say that stylistically, the word "appendix" recurs a bit too often in this text. I would like to see, in place of what is now the first sentence of paragraph 74, "the appendix attached as an appendix", I would rather like to see again the title of the convention - "The draft convention is attached as appendix I to this report", which would very well match with the following sentence making a reference to the convention. I think that would also, grammatically, be more acceptable.

Mr. von WAGNER (Germany): I would hate to make your life more complicated, Mr. President, but there are one or two elements which maybe are neglected. First, the text which Ambassador Kamal just read out, which starts a new sentence with the words "Both the report and its appendix" and so on, should make reference to document CD/1170, and therefore I would recommend to have it read "Both the report and its appendix, as contained in document CD/1170", and then go on. Secondly, whenever you quote what is in the appendix and quote only the convention, there is a risk that somebody might read into that that the annexes to the appendix are left out, or are not mentioned, or whatever. They are, however, very important because they make reference to the Prepcom and to the headquarters, and therefore I would recommend that if you make this reference to the convention you also mention the annexes to appendix I of the report of the Ad Hoc Committee. With these two amendments, I think that the text which was read out by Ambassador Kamal is absolutely acceptable to us.

The PRESIDENT (translated from French): Does the proposal by Ambassador Kamal, as improved on by contributions from various delegations, seem acceptable? I will reformulate my question: Is Ambassador Kamal's proposal, as refined and supplemented by Ambassador von Wagner, accepted? Ambassador Batsanov asked for the floor before Ambassador Kamal.

Mr. BATSANOV (Russian Federation) (translated from Russian): It is true that I have been waiting for the microphone for a long time, but as it happens it wasn't only Ambassador Weston who asked for the floor before me but a number of other representatives too. When I asked for the floor, before you gave it to Ambassador Weston, I wanted to support the concept put forward by Ambassador Kamal and to focus attention on the same thing as Ambassador von Wagner had just drawn attention to, that is that the annex contains not only the draft convention but also material for the preparatory commission and a list of material to be transmitted to the preparatory commission. With this addition I cannot yet imagine how the text will look in concrete terms, and probably somebody can read it out taking this nuance into account; as for the addition relating to the fact that in Ambassador Kamal's formulation there is no reference to document CD/1170 and that a way will have to be found to refer to it, I would be ready to agree with that.

The PRESIDENT (translated from French): I owe Ambassador Batsanov an apology because earlier on I did overlook him. I cross the names of speakers off the list as we go along, and since his name had already appeared four times I must have struck it out once too often. I apologize to Mr. Batsanov. I certainly did not intend to prevent him from speaking. In fact I am happy to have made that omission, because the position he has just taken is an extremely constructive one and should enable us, I think, to agree on Ambassador Kamal's proposal as refined by Ambassador von Wagner. I would like to ask the Secretary-General of the Conference whether he is in a position to re-read the text of what I will call the Kamal/von Wagner proposal, to be sure that we agree. I give the floor to Ambassador Kamal.

Mr. KAMAL (Pakistan): I think it would help if I read out my proposal once, so that it is clearly understood.

> "73. At its 635th plenary meeting, on 3 September 1992, the Conference adopted the report of the Ad Hoc Committee re-established by the Conference under the agenda item at its 606th plenary meeting (see paragraph 8 above), [and here is the addition] as well as its appendix, which contains the draft convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction, and its annexes. Both the report and its appendix, as contained in document CD/1170, are integral parts of this report. The report reads as follows: [reproduction]. The appendix to the report is attached as appendix I to this report."

The PRESIDENT (translated from French): I thank Mr. Kamal. I managed to note down more or less everything this time. After so much effort and in view of the late hour (I think Ambassador Shannon is going to curse me if we continue our discussions!), I will ask the question: At this stage would

(The President)

there be any objection to the adoption of the text of paragraph 73 as formulated by Ambassador Kamal? I give the floor to the representative of Poland.

Mr. GIZOWSKI (Poland): Probably this reference to annexes is a little bit misleading, because we have a number of annexes in an appendix. So maybe a simple fix will be to add "as well as its appendix, which contains, inter alia," - and we will refer just to the draft convention. This will make clear that it is not the only content of the appendix itself.

The PRESIDENT (translated from French): But I think the solution was found by Ambassador Kamal when he said "the draft convention [and we quote the whole convention] as well as its appendix and its annexes". Was that not it? It seems to me that this formula covers everything. I give the floor to the representative of Peru.

Mr. CALDERON (Peru) (translated from Spanish): I merely wish to point out that if we look at page 2 of the appendix that appears in document CD/1170, we have, in addition to the convention and its own annexes, two texts relating to the preparatory commission and material to be transmitted to the preparatory commission. That is why my delegation supports and endorses, inter alia, what has been proposed by the colleague from Poland, inasmuch as we take into account the elements referred to, which are not to be found in the draft convention.

Mr. BATSANOV (Russian Federation) (translated from Russian): I support Mr. Gizowski's proposal.

Mr. LEDOGAR (United States of America): I support the last three speakers: simply add the words "inter alia" to Ambassador Kamal's formulation.

Mr. GEVERS (Netherlands): I am sorry, Mr. President, to prolong your agony this afternoon, but the points I was about to make have been made by the last four speakers.

The PRESIDENT (translated from French): The proposal made by the representative of Poland has received wide support, but I still cannot see how it is going to be incorporated into Ambassador Kamal's text. If I take the English text, the only difference is that we would have "containing inter alia the draft convention", "inter alia" being supposed to cover the other annexes in the text. I give the floor to the representative of Algeria.

Mr. SEMICHI (Algeria) (translated from French): I did not actually intend to speak but it seemed to me that the President's job was being made needlessly complicated. It will be enough to give the number of the document since we have all the documents available that we need. I think that by adding the full document number, CD/1170, in Ambassador Kamal's proposal, we will not need to refer to all the appendices.

The PRESIDENT (translated from French): I thank the Ambassador of Algeria. I admire his concern for simplification, which I fully share, but as he has been able to observe the delegations are concerned for their suggestions, which they want to maintain and see adopted. I also understand this concern, and I think that everybody will find his own child in the proposal made by Ambassador Kamal, as amended by various delegations, including Ambassador von Wagner, who honed it. The text is certainly more cumbersome, but I have long since abandoned any aspirations to elegance in the matter before us. Are things clear to everybody? We are talking about the latest version proposed by Ambassador Kamal, with the addition of "inter alia" between "containing" and "the draft convention ... as well as its appendix ...". I repeat: we are not in the process of producing a work of great literature; we will not be awarded the Nobel Prize for Literature and certainly not the Goncourt prize when it is reproduced in French. But we must take into account the concerns of all the delegations. So I put the following question to the Conference: can Mr. Kamal's proposal, as amended by Ambassador von Wagner and re-read one last time by Ambassador Kamal, be adopted, in everybody's opinion? I observe that it can and that the miracle has happened.

I hope that this will continue, because, counting on your weariness, I am going to try to get you to accept the second part of paragraph 74, which reads as follows in English:

(continued in English)

"Hope was widely expressed that the draft convention would be commended by the General Assembly and opened for signature at an early date."

(continued in French)

Are there any objections to adopting this sentence? I give the floor to Ambassador Kamal.

Mr. KAMAL (Pakistan): It is my understanding that we are now referring to paragraph 74, which is only the second sentence of the old paragraph 74. I have already presented the view of my delegation that this reference to a "widely expressed hope" has germs of divisiveness in it because the search here is for consensus and we should concentrate on elements on which there is consensus. Consensus is an important part of the working procedures of the CD; it is consecrated in rule 18 of the rules of procedure and notwithstanding the precedents to which reference has been made, I think it would be fairer to all concerned to concentrate on an agreed consensus language. And the proposal that I have put forward is a sentence which replaces this existing sentence and reads:

"74. It was agreed that the draft convention as contained in the annex to the report of the Ad Hoc Committee should be transmitted to the General Assembly of the United Nations for its consideration."

The PRESIDENT (translated from French): I take note of that proposal, because the discussion is going to cover texts we have not got in front of us and that is not always the easiest thing to do. I give the floor to the representative of the United States.

Mr. LEDOGAR (United States of America): No, we could not accept anything like the alternative that Ambassador Kamal proposes. We, at a minimum, would like to see this section reflect accurately the true situation that obtains here in this room. Indeed, right now. Now it's true as Ambassador Kamal pointed out that historically this sentence in previous reports to the General Assembly of previous treaties - treaty texts - was preceded by comments about whether or not there was consensus. Again I go back to the notes on the 1970 seabed Treaty. It began: "Delegations expressed satisfaction with the general consensus achieved and the spirit of compromise which resulted in the inclusion in that draft of amendments responsive to their suggestions", and then it went on: "Hope was widely expressed that the draft treaty would" and so forth. And in 1971 on BWC: "Delegations expressed satisfaction with the general consensus achieved and with the process of negotiation and the spirit of accommodation which resulted in the inclusion" and so forth. "A number of delegations pointed out that final decisions of their Governments would be taken at a later stage". I think if we could replicate that kind of approach it would be historically consistent and perhaps would more broadly, more accurately express the sentiments in this room on our endeavour.

The PRESIDENT (translated from French): I understand Ambassador Ledogar's concern to present the United Nations in New York with a text containing an encouraging note and I must say that personally I would prefer that, because I will have the honour to present the Conference's report to the First Committee. I would prefer to be able to report our satisfaction and our hope to the august Assembly of the United Nations, but we have to satisfy everybody here. I give the floor to the representative of Egypt.

Mr. OMAR (Egypt) (translated from Arabic): On paragraph 74 or what is left of it I will be very brief. My delegation gives its full support to the amendment submitted by Mr. Kamal concerning the second phrase in paragraph 74 because we believe that a factual text not expressing a specific position should be sufficient. If we express specific positions then we will also have to mention the satisfaction and apprehensions expressed by other delegations concerning the draft convention.

Mr. MARIN BOSCH (Mexico) (translated from Spanish): My Government's position on the draft convention on the elimination of chemical weapons is well known. We have been talking about minor drafting points for two hours; we now realise the good sense of the suggestion made by the distinguished representative of Pakistan that this kind of discussion should be pursued in an informal meeting. What has occupied us this afternoon is far from being of historical importance or worthy of appearing in the verbatim record of this plenary. We are now coming to the heart of this question, and the problem is: how do we go from here to the General Assembly of the United Nations with a draft convention in our hands? This is what is important. Various precedents

(Mr. Marín Bosch, Mexico)

have been cited showing how the predecessors of the Conference on Disarmament passed or transmitted various draft treaties or conventions to the General Assembly. And it is a good idea to mention the cases of ENMOD or the CCD, because regrettably the Conference on Disarmament has set no precedents on this subject. We hope that it will do so today. Allow me to cite another precedent: exactly 16 years ago, on 3 September 1976, the CCD discussed its draft report to the General Assembly. At least three of us who are here today doing exactly the same thing were also present at that meeting in 1976: the Personal Representative of the Secretary-General, at that time representative of Argentina, Ambassador Vicente Berasategui, Mr. Ian Kenyon of the United Kingdom and myself. The report was approved on that day and appears in document CCD/520. In paragraph 375 the document says the following concerning the draft convention known as the ENMOD Convention, and I will quote it in English:

(continued in English)

> "At [its] meeting on 3 September 1976, the [CCD] considered the report of the Working Group containing the draft convention" [on environmental modification techniques] ", as well as comments, dissenting views and reservations thereon, which is transmitted to the United Nations General Assembly and the United Nations Disarmament Commission" [as an annex to this report].

(continued in Spanish)

Then follow all the dissenting views and all the rest. But I think if we want to ensure that what is said is a faithful reflection of the facts we have to look for a formula which is neutral. What matters here is not to decide on things that we are all going to decide together, I hope, at the General Assembly. I am not arguing for wording similar to the 1976 wording, but I thought it relevant to draw the attention of the other delegates to another precedent with which, as I said, Ambassador Berasategui, Mr. Kenyon and myself are very familiar.

The PRESIDENT (translated from French): We are going to find ourselves involved in a battle of quotations: this convention said this, that convention said that. That will not go very far in solving our problem. I see that the representative of Hungary, Ambassador Tóth, has asked for the floor. I give it to him, in the hope that he will give us the magic formula.

Mr. TOTH (Hungary): I am not a magician. I don't have the rabbit, or even the hat with me. I think that we might re-run the exercise we had when we adopted the report of the Ad Hoc Committee. At that time we had a lengthy discussion and I think the main elements on which we focused our efforts were those we tried to draft jointly besides the national contributions or national statements and the Chairman's statement. And these are the last three paragraphs in the report of the Ad Hoc Committee. As a result of lengthy hours of discussion I think we could strike a balance between different interests. My suggestion would be not to re-run that exercise but to try to take over those elements which might be appropriate here in the report of the Conference. And I would suggest taking over paragraphs 41 and 43 with a

(Mr. Tóth, Hungary)

slight modification of 43; 42 in a way is reflected in the paragraph we have just drafted - 73. My suggestion would be to modify slightly 41, dropping the reference to document CD/CW/WP.400/Rev.2, and to modify slightly 43, there to have a reference that the Conference agreed to transmit this report - and to take over those two paragraphs.

The PRESIDENT (translated from French): I thank Ambassador Tóth for his proposal, but as regards paragraph 43 I didn't quite understand. Is he proposing that we replace "the Ad Hoc Committee" by "the Conference on Disarmament"? I give the floor to Mr. Tóth again.

Mr. TOTH (Hungary): I would suggest the following formulation, as I mentioned, with a certain modification: "The Conference on Disarmament agreed to transmit this report and its appendix to the General Assembly."

The PRESIDENT (translated from French): Here again the Hungarian proposal seems to do justice to the proposals that have been made so far. I think his proposal is a constructive one. I am only worried about whether I will have as much trouble in getting it adopted as for paragraphs 73 and 74. Ambassador Tóth's proposal is extremely simple. We would reproduce here the text of paragraph 41 of document CD/1170, which contains the report of the Ad Hoc Committee on Chemical Weapons, and instead of referring to the document we adopted (CD/CW/WP.400), we would say of document CD/1170 that it

(continued in English)

"met with the support of most delegations, who were of the opinion that ...".

(continued in French)

Nothing else would be changed. As Mr. Tóth quite rightly said, there is no point in reproducing paragraph 42, because the information given there already appears in paragraphs 72 and 73. Then we would take up and modify paragraph 43, so that the text would read as follows:

(continued in English)

"The Conference on Disarmament agreed to transmit this report and its appendix to the General Assembly of the United Nations for its consideration."

(continued in French)

Is this solution accepted? It is not. I am having more trouble with this small paragraph than with the biggest ones.

Mr. TOTH (Hungary): May I just read that again? Under paragraph 41, the formulation would be the following: "The draft convention met with the support of most delegations, who were of the opinion ...", and then according

(Mr. Tóth, Hungary)

to the text in paragraph 41. In paragraph 43 we would have the following formulation: "The Conference on Disarmament agreed to transmit this report and its appendix to the General Assembly of the United Nations".

The PRESIDENT (translated from French): Does this proposal meet with the approval of the delegations? I give the floor to the representative of Pakistan.

Mr. KAMAL (Pakistan): No, Sir, and I hope that it will not be the effort of anybody in this body to test the patience of the Pakistani delegation or its commitment to the fact that we would not like a divisive idea to come in. Paragraph 41, to which Ambassador Tóth has referred, is not part of the conclusions and recommendations of the report. All that we can agree with is a formulation on the lines of the conclusions and recommendations of the report of the Ad Hoc Committee. If there is an effort to bring in the concept of wide support of one type, then there would have to be a counterbalancing by a phrase, "despite the reservations and concerns expressed by many delegations". And I do not think it is in the interest of the CD to come forward with a formulation which uses a sentence of that type. But if that is the desire, one can sit in a drafting exercise and draft a balanced paragraph which talks of the reservations and concerns of many delegations and the wide support of others. And then go on to the agreement part on which hopefully there will be total consensus, which is the agreement to transmit. But if we can just refrain from that, then there is no problem, we can just stick to that part on which hopefully, as I said, there is an emerging consensus.

The PRESIDENT (translated from French): I thank Ambassador Kamal. It is not only his patience which is being severely tested, but the patience of everybody here. I hope he will forgive me for saying so, but I cannot refrain from making an observation: the impression is the one really has the impression that the proposition was accepted by a few delegations during deliberations and that the vast majority opposed it. That is not what happened after all. I think that, to be perfectly objective, it was rather the opposite that happened — the great majority of delegations approved the proposal, despite their reservations, and nobody really opposed it. Hence the action should not be reversed. However, when Mr. Kamal seems to assert his point of view in the interests of balance, I fully agree with him and we are going to try to find a solution. I give the floor to the representative of Canada, Mr. Robertson.

Mr. ROBERTSON (Canada): I agree with your last remark, but that's not what I wanted to speak to. I think there's a different sort of problem posed by Ambassador Tóth's suggestion of repeating essentially what is said in paragraph 43, because that action of transmitting the report of the chemical weapons Ad Hoc Committee is already subsumed, I believe, in paragraph 119. We've just finished putting the Ad Hoc Committee report into this report. We've added its appendix to it, and in 119 we adopt the totality of the CD [illegible] and we transmit it; so that I think that it's causing not only

The PRESIDENT (translated from French): Mr Robertson is certainly right on that point. I take paragraph 119:

(continued in English)

"The annual report to the forty-seventh session of the General Assembly of the United Nations, as adopted by the Conference on 3 September 1992, is transmitted by the President on behalf of the Conference on Disarmament."

(continued in French)

It seems to me that Mr. Robertson is in complete agreement with Ambassador Kamal, who suggested a sentence saying: "It was agreed that the draft convention should be transmitted to the General Assembly for consideration." That would more or less coincide with paragraph 119. I give the floor to the representative of the United States.

Mr. LEDOGAR (United States of America): I join you, Mr. President, in agreeing that I hope we can avoid expressions of exasperation. The facts over the last months and weeks and days I think speak for themselves. Everyone in this room knows how many delegations give support to the convention, and even we know precisely how many have warm support, lukewarm support, cold support, begrudging support, barely-make-it support, but the sum total of all of that support is a very substantial proportion of the membership of this Conference. We also all know how many delegations are not in a position at this time, unfortunately, to give support to the convention. Now what we're seeking for, all of us I think, is an accurate reflection of the reality. And if the proposal is that we have a sentence which simply says to New York: "Dear General Assembly, we didn't make it. We're transferring our problems to you for consideration. Here is a list of our disappointments, and these are the unsatisfied wishes. Please make with it what you will", that's not an accurate reflection of the feeling in this room. It's not a question of the majority trying to impose a view on the small minority who unfortunately at this time are unable to give support to the convention. What we're seeking is an accurate reflection, and I think New York deserves it, and I think the public deserves it. This will, I hope, by the end of the evening become a public document, and it ought to be known what the accurate circumstance is. So it's not simply a question of - here we say with no judgement whatsoever, "We're sending our problem to New York. Thank you very much. Please help us out", which is what the Kamal statement sounds to me as though we're trying to do. I think what we ought to do is maybe combine these two thoughts. And as was pointed out, if we want an accurate reflection, then maybe paragraph 74 should read something along the following lines: "While consensus on the draft convention unfortunately could not be reached, hope was expressed that the draft convention would be commended by the General Assembly and opened for signature at an early date". That, I think, is the kind of statement that [illegible] our Canadian colleague pointed out, we don't need to say

The PRESIDENT (translated from French): I am grateful to Ambassador Ledogar for his concern for flexibility. It is my hope that the other representatives that have asked for the floor, beginning with the representative of Chile, will also demonstrate flexibility.

Mr. GONZALEZ (Chile) (translated from Spanish): That was just what my delegation had in mind. First of all, Mr. President, we wish to support you explicitly in the sense that we agree with your judgement that not all the statements which have been made in favour of the adoption of a draft convention on chemical weapons were half-hearted. We have been following this negotiation process closely and I think that here we need to clearly separate two things. This afternoon we have been involved in a lengthy procedural discussion which we feel is overshadowing the basic fact and the crucial issue, which is the following: we cannot ignore such a substantive aspect as the enormous number of statements made by the various countries on behalf of their Governments in support of the convention or the draft convention on chemical weapons; many of them bilateral, others trilateral - in short, of all kinds. Consequently we believe that it would not reflect the facts if, simply because a small number of delegations have problems with certain procedural aspects and not problems with matters of substance, a draft is sent to the General Assembly with an absolutely neutral phrase. Everybody with experience in negotiations in the General Assembly of the United Nations and in the context of the First Committee knows full well that if a draft is sent like that, it can turn into a real Pandora's box from which new amendments, new drafts, new alterations will emerge, and that the upshot will be that we will probably "recommence" a period of negotiations which could go on for another 20 years. My delegation at least is not prepared to start the process again and, as we have said publicly we think it is necessary to adopt this draft convention once and for all.

Mr. CALDERON (Peru) (translated from Spanish): I wish to speak very briefly just to state for the record the positive feelings with which my delegation viewed the second sentence in paragraph 74, in so far as it was drafted with the utmost care. That paragraph per se reflects the fact that there is not necessarily a consensus on the text, and that state of affairs could of course easily be acknowledged by this Conference. Nevertheless, my delegation, aware of the difficulties that some delegations have, thinks we could use the elements that appear in paragraph 18 of the Ad Hoc Committee's report, somewhat along the lines of what was stated by Ambassador Ledogar. However, my delegation would prefer not to go so far in that direction and, while keeping the existing sentence, in other words, the second sentence in paragraph 74, we suggest adding a first line which would read as follows:

(continued in English)

"Despite the positions expressed by some delegations, ..."

(continued in Spanish)

(Mr. Calderón, Peru)

begin with that ingredient, which is a statement of facts, we then also refer to the facts, namely paragraph 2, I beg your pardon, the second sentence in paragraph 74. So I appeal for consideration to be given to this proposal since, in fact, in this way we are better reflecting what has taken place in this Conference.

The PRESIDENT (translated from French): Before giving the floor to Ambassador Kamal, I would like to focus the debate on the two proposals which have been made. Ambassador Ledogar, if I understand correctly, suggests saying

(continued in English)

"While consensus on the draft convention unfortunately could not be achieved, hope was expressed that the draft convention would be commended by the General Assembly."

(continued in French)

This would amount to recording the reluctance of some delegations, since, following Ambassador Kamal, we would drop the word "widely". We would therefore say: "The hope was expressed that this convention would be approved by the General Assembly." Under Mr. Calderón's proposal, we would say, if I have understood correctly:

(continued in English)

"Despite the positions expressed by some delegations, hope was expressed that the draft convention would be commended by the General Assembly".

(continued in French)

That's right. So we have before us two proposals, which are really quite similar. I give the floor to the representative of Pakistan.

Mr. KAMAL (Pakistan): We could go along with the proposal of Ambassador LeDogar as read out by you, Sir, but after dropping the word "nevertheless" which we think is a tendentious word and a value judgement. So, "While consensus could not be achieved, hope was expressed", etc., etc. Alternatively, Sir, I can give you another formulation, if my agreement with Ambassador Ledogar is disagreeable to others. Then my alternative formulation would be a simpler one. It says: "At the same plenary session, the Conference on Disarmament adopted the report of the Ad Hoc Committee and agreed to transmit it for consideration to the General Assembly of the United Nations"; or to say, "and agreed to transmit to the General Assembly the report as well as the draft convention for consideration". Either of these formulations would be preferable, but since I think we are working on the same wavelength now with Ambassador Ledogar, perhaps some thought could be given to Ambassador Ledogar's formulation, after dropping the word [illegible] the word is "unfortunately", not "nevertheless";

The PRESIDENT (translated from French): We are moving painfully in the right direction. The representative of France, then the representative of the United Kingdom have asked to the floor; I now give it to Ambassador Errera.

Mr. ERRERA (France) (translated from French): We too are very keenly aware of the fact that, while recognizing the difficulties experienced by a number of delegations that are well known to us, we need here to have a minimum conveying the tone of reality - I do not even say an exact image, but at least the tone of reality. I am not certain that a wording saying, in black and white, "... noted the absence of consensus ..." is a happy wording, because it is negative. What we wish to see is a minimum position, yes, but at least a positive position. That being the case, we could not accept such a wording and we would not regard it as a good thing, either for the Conference or for the goal we are attempting to achieve. That is why we consider that the proposal made by Mr. Calderón is a good one, that is, we would begin by expressing and noting a fact and then continue by expressing this widely felt hope. For the same reasons, we could not accept Ambassador Kamal's formula whereby we would say that the members of the CD are in agreement to transmit the draft convention to the General Assembly for consideration. In short, it is with considerable reluctance, for the reasons which we have set forth at length, particularly last week - it is late and I will not repeat them - that we could, while very much regretting it, go along with a minimum wording, provided that it is positive rather than negative.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): Earlier, as you know, I expressed a preference for Ambassador Kamal's formulation rather than Ambassador Ledogar's. Well, again, I'm afraid, in this case I would express a preference for Mr. Calderón's formulation rather than Ambassador Ledogar's, and I would ask Ambassador Kamal whether he would not consider this formulation, which seems to me to represent the facts very clearly indeed. The word "positions" is used very carefully and the formulation is the same as in the report of the Ad Hoc Committee, "Despite the positions expressed by some delegations", and then, as we have it, "hope was widely expressed". I would ask Ambassador Kamal's views on that please.

The PRESIDENT (translated from French): From the trend in the debate I conclude that the positions are moving more towards Mr. Calderón's proposal than towards the others that have been put forward. The representative of Nigeria was asking for the floor; I give it him.

Mr. AZIKIWE (Nigeria): Mr. President, you just expressed the opinion that my delegation was about to put forward. We find the proposal by Dr. Calderón of Peru acceptable to my delegation.

The PRESIDENT (translated from French): Thank you, Mr. Azikiwe. I did not intend to make a value judgement. I simply noted that a movement was emerging in favour of Mr Calderón's proposal. I give the floor to Mr. Kamal.

Mr. KAMAL (Pakistan): I would like to repeat what I said earlier. I can

(Mr. Kamal, Pakistan)

alternative formulation, which is that "At the same plenary session, the CD adopted the report of the Ad Hoc Committee and agreed to transmit it to the General Assembly of the United Nations, the report as well as the draft convention, for consideration" And I would suggest that we work on the basis of either of these two. The fact is that despite the wide hope and the many reservations and concerns which have been expressed in no uncertain terms, despite that I think we are at a point where rule 80 has to be read and understood clearly. And I think Ambassador Ledogar's formulation is a correct recognition of that fact. But if, as I said, that is not a line of thinking which is acceptable to others, then there is a clear alternative which has been mentioned by me, which, to paraphrase the words of the distinguished Ambassador of France, is a positive formulation because it clearly says that the CD adopted the report of the Ad Hoc Committee, and that is as positive as one can go.

Mr. AJIKIWE (Nigeria): I listened very carefully to the suggestion of Ambassador Ledogar. I'm afraid it is not acceptable to my delegation and it doesn't capture the minds of most delegations that participated in the negotiations. I still believe that we have a compromise solution, and the compromise solution was already suggested by the delegation of Peru. I would only appeal to some of our colleagues to realize that they are sending a message to the General Assembly which would try as much as possible to reflect the true position. I don't think that is a statement of fact that our work should be regarded in a negative way. So I believe that the suggestion put forward by Dr. Calderón captures the minds of most delegations here.

Mr. LEDOGAR (United States of America): Well, there doesn't seem to be much support for the joint Pakistani/American proposal. The alternative that Ambassador Kamal put forward I think may offer a way out. It's a disappointing one, but it is straightforward and has a positive note to it rather than a negative note. We would have to eliminate the words "for consideration", however, because that suggests that there will be further work on the treaty in New York, which my delegation is opposed to. As I understand it - or maybe we should ask Ambassador Kamal to repeat it - but it would be something as follows: "At the same plenary meeting, the Conference adopted the report of the Committee and agreed to transmit it to the United Nations General Assembly ... agreed to transmit the report of the Conference on Disarmament containing the draft convention on chemical weapons". Perhaps I could get Ambassador Kamal to read it out without the words "for its consideration", and see whether we can gather support around it.

The PRESIDENT (translated from French): There is a risk that the text proposed by Mr. Ledogar in a spirit of reconciliation will lead to duplication, since paragraph 73 states that the Conference adopted the report and its annexes; indeed, we had enough trouble reaching agreement on paragraph 73. But I am willing to accept it if that is the price to pay to reach agreement. If I have understood correctly, Mr. Ledogar suggests that we should say that, at the same meeting, the Conference on Disarmament adopted the report of the Ad Hoc Committee on Chemical Weapons - which has already been said in paragraph 73 - and agreed to transmit it to the United Nations General Assembly.

Mr. KAMAL (Pakistan): My understanding is that what Ambassador Ledogar has read out on the basis of what I myself had put forward reads roughly as follows: "At the same plenary session, the Conference on Disarmament adopted the report of the Ad Hoc Committee containing the draft convention" (we can use any formulation there) "and agreed to transmit it to the General Assembly of the United Nations". My delegation will be happy to go along with that formulation.

The PRESIDENT (translated from French): If so, we are probably moving towards a solution.

Mr. CALDERON (Peru) (translated from Spanish): I am sorry to contradict you, Sir, but that doesn't seem to me to be a solution. First of all, why ignore the majority position in this multilateral negotiating forum in favour of the draft convention? If consensus is what we are seeking, then let us make an effort to ensure that this majority position is reflected in the final paragraph. What we cannot do is end by sending an unduly lukewarm message with practically no signal to the General Assembly of the United Nations, because this text is going to be read not only by delegates in the United Nations but also by the entire international community - hence the major responsibility we bear to ensure that we send a signal concerning the majority position among the delegations accredited here. So that in that regard, in the first place, as you have said, Sir, there is no point in repeating what we have already said in paragraph 73. In paragraph 73 we have already spoken of the fact that the Conference has adopted the report. What is the point of saying it again? Where is the concession? I would like to see the concession made by the delegations which have difficulties in reaching consensus. And in the second place, referring to the transmittal to the General Assembly: pour quoi faire? What has been suggested is totally tasteless, colourless and insipid. So that this is not a reflection of the aspiration of the majority of the delegations represented here. So that if there are difficulties in finding a formula, then perhaps a short break may be more advisable: a temporary suspension of the meeting in case inspiration strikes us in the corridors. At all events, if we continue in plenary, my delegation does not agree with this wording.

Mr. AZIKIWE (Nigeria): I have very little to add to the views already expressed by my delegation. Perhaps if it will be helpful the Peruvian suggestion could be slightly modified. If you don't mind, Mr. President, I'll read out the suggestion. We could use this formulation: "Different positions were expressed. None the less hope was widely expressed that the draft convention" - and then continue with the sentence. But this is the minimum that my delegation will accept.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): I must say I continue to believe that the wise suggestion of Dr. Calderón is the one on which we ought to concentrate, and I agree with Ambassador Azikiwe about this. I had another variant of it to see if it helped, which was to add to Dr. Calderón's phrase, which I will read out again for the sake of clarity: "Despite the positions expressed by some

(Sir Michael Weston, United Kingdom)

delegations, which are spelled out in detail in the report of the Ad Hoc Committee, hope was widely expressed" - and continue like that. May I see if that meets with any enthusiasm?

Mr. KAMAL (Pakistan): Mr. President, before I address that point, may I ask you for your ruling on the proposal made by Ambassador Calderón for a suspension of this meeting? It is my understanding from the procedures adopted in this Conference and the Ad Hoc Committee that when a delegation asks for a suspension that request is normally acceded to immediately. Would you like to give us your ruling on that point, Sir?

The PRESIDENT (translated from French): I put before the Conference for approval the request made by Mr. Calderón and supported by Ambassador Kamal. Do the delegations agree to our suspending the meeting for a limited period of time, let us say 10 minutes? Is there any objection?

Mr. AZIKIWE (Nigeria): From all indications we are making progress. My distinguished colleague from the United Kingdom just modified the suggestion put forward by our colleague from Peru. I believe that we should work along that line. My delegation is not in favour of a suspension of this meeting at this moment.

The PRESIDENT (translated from French): Are there any other delegations which have an objection to the suspension? I give the floor to the representative of France.

Mr. ERRERA (France) (translated from French): I wanted earlier to support the substance of what the Ambassador of Nigeria suggested on the basis of the Peruvian proposal. I fully support what he has just said with respect to procedure. We are making progress: hence this is not the moment to suspend the meeting unless, of course, a delegation were to insist. But it was not my understanding that Mr. Calderón was asking for that; I thought he was wondering about the desirability of a suspension - I must have been mistaken.

Mr. CALDERON (Peru) (translated from Spanish): Since Ambassador Errera speaks Spanish perfectly, he understood me. I did not request a short break - I wondered whether such a break would be desirable. But in any event, the Ambassador of Nigeria's comment is very important. My delegation is prepared to work on what Ambassador Weston has just suggested to us, in other words, a revised version of what I originally proposed, but it is not prepared to discuss the - what shall I call it? - the "American/Pakistani" proposal at this moment.

The PRESIDENT (translated from French): So the representative of Peru did not formally request a suspension of the meeting - he was simply wondering whether a suspension might be contemplated. Several delegations have said that they saw no need for a suspension. I give the floor to the representative of Cuba.

Mrs. BAUTA SOLES (Cuba) (translated from Spanish): I just wish to say that my delegation felt encouraged by the joint Pakistani/American proposal since it thought that the two delegations, in the proposal they were making, had demonstrated sufficient intelligence, political sensitivity and tact to help us emerge from the situation in which we found ourselves. My delegation, for that reason, would be prepared to support a fresh consideration of that formulation. And before concluding, I wish to say that, just as the Pakistani/American proposal is unacceptable to the delegation of Nigeria and the delegation of Peru, the proposal made by the Peruvian delegation is an absolutely unacceptable proposal for the delegation of Cuba because it tends to shift the balance of responsibility which we face, or which we bear, in any decision we take on transmitting this report to the General Assembly, to a group of delegations which have expressed reservations with respect to the draft convention and whose proposals are to be found in the report which we are adopting today. Consequently, the Peruvian proposal is not acceptable to the delegation of Cuba.

Mr. GONZALEZ (Chile) (translated from Spanish): Very briefly, I wish to say that we share with the distinguished representative of Cuba the sense of encouragement to speak after this debate, but we do not share what might be called her apprehension with respect to the Peruvian proposal. On the contrary, we would like to make it quite clear that the proposal made by the distinguished representative of Peru constitutes a very clear solution, since it reflects a very specific aspect of the discussions which have taken place over many years with respect to this convention. And in that regard, we do not find the proposal that has been termed American/Pakistani or Pakistani/American satisfactory at all, because it is really a very impaired signal of what was truly a widespread feeling expressed here by many countries during the discussions on this convention.

The PRESIDENT (translated from French): Perhaps it is because the representative of Australia is too close to me that I forgot to give him the floor when he asked for it. I do apologize for that oversight, and give him the floor now.

Mr. O'SULLIVAN (Australia): It seems to me it's a matter of fact that hope has been widely expressed that this draft convention would be commended by the General Assembly and opened for signature at an early date. I don't know whether anyone in the room disputes that as a fact. If it is not disputed, I want to know on what basis a thought along those lines would be excluded from our report. Of course, I accept willingly that other thoughts can be included as well, and there are various formulas being put forward to cover that, and if they're not adequate, well fine, let's find them. But I say to Ambassador Kamal, on what basis do I and the others who express this thought not have a chance to have it reflected in the CD's report? It's a fact that these views have been widely expressed, and the people who expressed them I think have the right to have those thoughts reflected.

The PRESIDENT (translated from French): I must get my list of speakers in order, otherwise I am going to offend some of my colleagues. The representative of the United Kingdom is the first on the list, followed by the representative of Italy and then the representative of Hungary. I give the floor to Sir Michael Weston.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): Mr. President, I'm now going to ask if you would consider suspending the meeting for 10 minutes. We believe that we are making progress here, but we would find it easier to do in a corner. So if you would give us 10 minutes, I believe we could come back with something useful.

The PRESIDENT (translated from French): I was ready to suspend the meeting a while ago, when the request was made, but the representative of Nigeria objected, as well as the representative of France, if I understood correctly. Now the representative of the United Kingdom, in a spirit of understanding, is proposing that we suspend the meeting for 10 minutes. It would seem that an agreement is within reach. Are there any objections? There are no objections. I note that the representative of Brazil had asked for the floor; I give it to him.

Mr. FELICIO (Brazil) (translated from French): Mr. President, it seems I have the same problem as the representative of Australia: I am very close to you in this room, and in my feelings too. The Brazilian delegation has no objections to the suspension of the meeting, but wishes, at this stage, to place its position on the record of the official meeting. It has not participated up to now in the discussions, which dealt with points which the Brazilian delegation does not feel to be very important. What is important is that the draft convention on chemical weapons has been supported by a very large number of countries. When we have the opportunity to read the proceedings of this session, we will realize that it is actually a very large majority of States members of the Conference on Disarmament, and observer States too, that support the draft convention on chemical weapons - all those States would undoubtedly like to transmit the draft with a positive recommendation to the General Assembly.

The PRESIDENT (translated from French): The representatives of Italy and Hungary have asked for the floor. Can they wait and speak after the meeting is resumed, or do they really want to do so before the suspension? I give the floor to the representative of Italy.

Mr. FRANCESE (Italy): My delegation wants only to make a point of principle in the debates in which it has refrained from taking part so far, because it feels that the word "consensus" is being grossly abused in this instance. The consensus about the basic decision to take is being taken, the decision to transfer this document to the forty-seventh General Assembly of the United Nations. What we are now discussing is whether we have to present the kind of atmosphere prevailing in this body now in a proper and descriptive manner or not. In other words, we are looking for consensus to describe correctly the situation here, or on the contrary, we will draw consensus from describing the situation as it is here. It is this that I want you to make clear for the memory of those present in this room. But certainly my

(Mr. Francese, Italy)

delegation hopes the draft convention should be commended by the General Assembly and subsequently opened for signature at an early date. And I understand it is the feeling largely shared by most delegations here. This has nothing to do with consensus on the transfer to the General Assembly of this text. It is just about describing correctly and appropriately the situation prevailing here. This is why we strongly hope that Sir Michael Weston's views as presented earlier will find an appropriate place in the solution which will eventually prevail.

Mr. TOTH (Hungary): My delegation would have no difficulty if there is a solution along the lines of the Peruvian proposal or the United Kingdom proposal found in any corners of this room. I think that the Pakistani/American proposal found no difficulty on the part of Pakistan and the United States though there were some difficulties raised in connection with that by other delegations. I would like to raise the possibility that in the recess, if consideration is given to other proposals as well, the following formulation might be considered if it is of any help, and this is based on the American/Pakistani proposal. The formulation is very simple: "While there was no full consensus, hope was widely expressed that the draft convention would be commended by the General Assembly and opened for signature at an early date".

The PRESIDENT (translated from French): I thank Ambassador Tóth. This will certainly be taken into consideration by the delegations. Before suspending the meeting I give the floor to one last speaker who is the representative of the Russian Federation.

Mr. BATSANOV (Russian Federation): This won't take long. I think it's really time to suspend the meeting.

The PRESIDENT (translated from French): The meeting is suspended for 10 minutes.

The meeting was suspended at 7.40 p.m. and resumed at 8.05 p.m.

The PRESIDENT (translated from French): As my colleagues will have realized, minutes in Belgium last longer than anywhere else. The 10 minutes were stretched out somewhat, but I think it was in the interest of all the delegations present here to let matters take their course, because the thorny question of the drafting of paragraph 74 has apparently been resolved, thanks to an understanding attitude on all sides. I am told it is Ambassador Semichi who will submit to the wisdom and, I hope, the approval of the Conference the compromise on which the delegations concerned have reached agreement. I therefore give the floor to Mr. Semichi.

Mr. SEMICHI (Algeria) (translated from French): The short suspension of the meeting was used by a group of delegations to attempt to present to all the members of the Conference a consensus text based on all the proposals which had been made at the present meeting before its suspension. This group of delegations agreed on the following drafting for paragraph 74. I will read out the English text as negotiated by several delegations.

(Mr. Semichi, Algeria)

(continued in English)

"74. It was agreed by consensus that the draft convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction adopted by the Conference on Disarmament be transmitted to the United Nations General Assembly."

(continued in French)

That was the text on which a number of delegations reached agreement taking into account, once again, all the ideas which were put forward in the course of the discussion.

The PRESIDENT (translated from French): I thank Ambassador Semichi. I am very grateful to him for taking on the role of spokesman for what I hope is a large group of delegations that agreed on this text. Everyone, I hope, has noted the proposal that has been made. Does any delegation wish to take the floor? I give the floor to the representative of the Netherlands.

Mr. GEVERS (Netherlands): Of course my delegation can agree to that formulation. I just wanted to ask whether it wouldn't be better to specify the forty-seventh General Assembly.

The PRESIDENT (translated from French): I thank Mr. Gevers for that suggestion, which I do not think need give rise to lengthy discussions, in addition to the fact that it clarifies matters usefully. Is the text proposed by Ambassador Semichi acceptable to the Conference? There are no objections. This is a second miracle for which I thank my colleagues - if some people wish to applaud I authorize them to do so.

Now we will continue to go through the overall report section by section, and we come to section E (Prevention of an arms race in outer space). Does any delegation wish to make any comments? The delegation of Iran was asking for the floor.

Mr. MASHHADI (Islamic Republic of Iran): Mr. President, as it was said at the beginning that it was agreed, you made the ruling that following the work on these paragraphs 72, 73, 74, the request of my delegation would be heeded, and that is the suspension in order to finalize the consultation in the Asian Group on the adoption of this part which my delegation's agreement will be contingent upon. My delegation has not yet agreed to the adoption of part D as was said earlier, which is somehow related to the composition of the executive council. Some consultations are going on, so I would like to renew my request that we have a suspension so that the Group will make their agreement on that.

The PRESIDENT (translated from French): I thought that agreement had been reached and that everybody was consulting on every possible and conceivable subject. I certainly saw the Asian Group in particular withdraw to a corner of the room. I thought that it had reached agreement, but that does not appear to be the case. But I doubt that a suspension of 10 minutes would be sufficient to resolve the problems that have arisen, unless

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Mr. Mashhadi can give me an assurance to that effect. I give the floor to the representative of the United Kingdom, who wishes to speak concerning the Iranian request.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): I wonder if we could have some precision from the Iranian delegation whether they think it would be possible in a short space of time to settle things, because alternatively I would suggest that it might be better if we were to continue with a - I think you described it as second reading of the report and try to get through the rest of it at least, so that we would then come back to the one issue which seems to be the problem of Iran.

The PRESIDENT (translated from French): I thank Sir Michael Weston for his very constructive proposal. Before we take any decision I should like to give the floor to the Ambassador of Japan, Mr. Tanaka.

Mr. TANAKA (Japan): I support what the British Ambassador said. It would take more time than 10 minutes to conclude consultation among the Asian Group, so we prefer to go through the other parts and then come back to section D.

The PRESIDENT (translated from French): That seems to me the wisest thing to do. I give the floor to the representative of Pakistan.

Mr. KAMAL (Pakistan): Perhaps we can separate the idea of the drafting of paragraphs 72, 73 and 74 in section D, on which there seems to be agreement, from the crucial question of their adoption, which is where my understanding is the distinguished delegate of Iran has a problem. Perhaps what we can do is, having finished the drafting of 72, 73, 74, to put them aside for adoption as a whole at the end and go on for the present so that we reach the end of the report and then come back to section D, and hopefully by that time some ideas may have come. And this is on the assumption that the drafting has been agreed and the only problem now left is the final adoption.

The PRESIDENT (translated from French): I was probably being a little optimistic and precipitate in bringing my gavel down on this section, since there is clearly still a problem. I suggest we accept Ambassador Weston's proposal, leave section D pending and move on to the other sections. That should not take up an enormous amount of time anyway - in less than 10 minutes we will again find ourselves face to face with this problem which we seem unable to settle. I give the floor to the representative of Nigeria.

Mr. AZIKIWE (Nigeria): I quite agree with the suggestion put forward by our distinguished colleague from the United Kingdom, but I have a suggestion. While we go on with the other sections, perhaps it would be more helpful if the group of interested States that are affected should meanwhile be holding their consultations, so that when we do come back to section D they should be able to give us the outcome of their consultations, because we don't want to come back and be faced with the same problem again.

The PRESIDENT (translated from French): Ambassador Azikiwe is right, but the President cannot let one delegation hold up the work of the Conference.

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If delegations wish to get together and can do so while continuing to be represented in the room, so much the better, but I am afraid that that is not possible for them. Hence I suggest that we examine the few remaining sections. Perhaps our thinking will then be a little clearer when we come back to the question of chemical weapons.

I return to section E (Prevention of an arms race in outer space). Are there any delegations that wish to make comments? There are not.

Section F (Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons): has any delegation any comments to make? None has.

Section G (New types of weapons of mass destruction and new systems of such weapons: radiological weapons): I note that no delegation has any comments to make.

Section H (Comprehensive programme of disarmament): Here too, there are no comments.

Section I (Transparency in armaments): I give the floor to the representative of the United Kingdom, who will be followed by the representative of the Russian Federation.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): Mr. President, I understand naturally your affection for the French language, but I must object to your shocking attempt to infiltrate French words or at least French spelling into the English version of this report. If I may direct your attention to paragraph 105 of the report, where not just once but three times you have allowed an acute accent to be put on the word "regime" in the fifth, twelfth and fifteenth tirets, and you have further compounded this grave error in paragraph 108, where there is the same problem.

Mr. LEDOGAR (United States of America): Hear, hear.

The PRESIDENT (translated from French): I humbly confess that there was indeed an attempt to perpetrate cultural imperialism. French-speaking Belgium sought to impose the purity of the French language in a report, but to no avail, as delegations will have observed. The English version will be duly corrected in keeping with the wishes of the Ambassador of the United Kingdom.

We had reached section I. I wonder whether any other attempts were made to debase the English language in this part? Ambassador Batsanov - were the same crimes perpetrated in Russian? You have the floor.

Mr. BATSANOV (Russian Federation) (translated from Russian): No, Mr. President, Ambassador Weston and I independently spoke - or rather wanted to speak - in defence of the English language. But I did have a few other comments on this particular section. If you think that Ambassador Weston's comments, so to speak, require further discussion, I am prepared to wait with my own proposals. Otherwise, I would like to make them. My comments have to do with paragraph 109 on page 43. Here there is a list of international

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agreements such as the NPT, the BW convention and the future convention on the prohibition of chemical weapons. And although in this paragraph the views of individual delegations are set forth, I would nevertheless take the risk of proposing that the Treaty on the Non-Proliferation of Nuclear Weapons should be given its correct name.

(continued in English)

I would suggest that the name of the non-proliferation Treaty is spelt correctly here, that is, the Treaty on the Non-Proliferation of Nuclear Weapons, that the title of the biological weapons Convention is put correctly, especially since we use capital letters here, which I think invites the use of the proper name of this Convention. And if possible as well the future convention on the prohibition of - as we agreed - the development, production, stockpiling, etc. In short, my proposal is to use correct names of the treaties and conventions mentioned in this paragraph.

The PRESIDENT (translated from French): The representative of the Russian Federation is quite right, but I plead indulgence for the secretariat personnel, who, as you know, have been subjected to great nervous strain for the past three weeks, if not more - the simultaneous production of the overall report of the Conference and the report of the Ad Hoc Committee on Chemical Weapons was certainly no picnic. Having said that, Ambassador Batsanov's request will be complied with: in the matter of conventions or treaties, it goes without saying that they must be mentioned using their correct titles.

We turn to section J (Consideration of other areas dealing with the cessation of the arms race and disarmament and other relevant measures). Does any delegation wish to take the floor? None does.

Section K (Consideration and adoption of the annual report of the Conference and any other report as appropriate to the General Assembly of the United Nations): I note that no delegation has any comments to make.

We have thus concluded our reading of document CD/WP.428/Rev.1, which contains the various sections of the annual report of the Conference to the General Assembly. It remains for us to adopt this report with the amendments that have been made. We must now return to section D on chemical weapons and the problem raised by the representative of the Islamic Republic of Iran. Has the situation changed while we were examining the other sections of the annual report? Would Mr. Mashhadi have good news to announce to us? I give him the floor.

Mr. MASHHADI (Islamic Republic of Iran): The paper is being typed, and by the time it arrives here we can resume the meeting, so my previous request is valid, that we go for a recess, a suspension, and by the time that the paper is typed up and brought here then we can resume our meeting.

The PRESIDENT (translated from French): We are all impatient to acquaint ourselves with this text. In fact I do not know whether it will be submitted to the Conference as an official document, since it is an internal matter for

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the Asian Group. In the meantime, I propose that we turn to the last question to be examined during this plenary meeting before the formal adoption of the annual report, one that I referred to last week: the question of the dates of the three parts of the 1993 annual session. In accordance with rule 7 of the rules of procedure,

> "The Conference shall have an annual session divided into three parts of 10 weeks, 7 weeks and 7 weeks respectively. The first part shall begin the penultimate week of the month of January. The Conference shall decide the actual dates of the three parts of its annual session at the close of the previous year's session"

- which is today. The opening date of the 1993 annual session would normally be Tuesday, 19 January. The first part of the annual session would conclude on Friday, 26 March. The second part would begin on Monday, 10 May and end on Friday, 25 June. Finally, the third part would begin on Monday, 19 July and the annual session would end on Thursday, 2 September. For reasons with which we are all familiar - for the record: the possibility that the date of the resumption of our session might coincide with that of the signature of the chemical weapons convention - I have suggested to the group coordinators that, in accordance with rule 11 of the rules of procedure, the President should be authorized to modify the opening date, if necessary, during the inter-sessional period. It is understood that all members would be duly informed as appropriate, and that if the opening of the annual session was delayed, we would offset the lost working days by extending the first part of the annual session. In other words, if the signature of the convention on chemical weapons were to take place on 19 January, we would begin our session only on 22 or 23 January, on the understanding that we would extend the first part of the session correspondingly at the end of March so that it would last the full 10 weeks. When I consulted the group coordinators in this regard, they raised no objection. I propose that the Conference should give the President latitude to alter the opening date of next year's session, if, of course, the need arises. Is there any objection? There is none. I thank the delegations for their understanding.

I see that the delegations are still consulting one another on the text of the representative of the Islamic Republic of Iran which is of such concern to us. I find myself in the distressing situation of the broadcaster who has to fill the airwaves while talks continue. I will continue to soliloquize, unless Mr. Mashhadi has a text to submit to us.

Mr. MASHHADI (Islamic Republic of Iran): I think 10 minutes' recess will help all of us. A 10-minute recess.

The PRESIDENT (translated from French): Is there any objection to our suspending the meeting for 10 minutes?

The meeting was suspended at 8.30 p.m. and resumed at 9.20 p.m.

The PRESIDENT (translated from French): The 10 minutes specified became 20, then 30. I went back to see the members of the Asian Group, who asked for a further 10 minutes. I granted them that and now we have gone

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beyond a quarter of an hour. This state of affairs is extremely distressing and, I believe, rather unusual in the annals of the Conference. The entire meeting of the Conference is held up because of the internal problems of one regional group. That group cannot reach agreement, and at the rate things are going it is not my impression that a solution is in sight. In the circumstances, I submit to the Conference for approval the annual report to the United Nations General Assembly contained in document CD/WP.428/Rev.1, as amended. Are there any objections? I give the floor to the representative of Japan.

Mr. YAMAMOTO (Japan): Mr. President, apparently the Ambassadors of the Asian countries are not present, and the way you press us to adopt the report, its impossible for us to accept that. It's clear for us.

The PRESIDENT (translated from French): Have the other delegations any observations to make on this problem? I give the floor to the representative of Nigeria.

Mr. AZIKIWE (Nigeria): Obviously, my delegation would like us to conclude our work as soon as possible, but the observation made by our colleague from Japan is very pertinent. If you don't mind, Mr. President, could you extend the deadline by another 10 minutes, hopefully? - as we are all working towards achieving a common goal.

The PRESIDENT (translated from French): These extensions of 10 minutes at a time are becoming very elastic, and there is a risk that they will carry us well beyond midnight. I give the floor to the representative of Peru.

Mr. CALDERÓN (Peru) (translated from Spanish): My delegation just wishes to point out that we are awaiting the results of the consultations among the delegations in a regional group. However, I should like to mention that here we are also awaiting the adoption of the final report of the Conference on Disarmament to the General Assembly, and that it is the wish of my delegation that, so far as possible, the problems of one region should in no way jeopardize the entire report.

The PRESIDENT (translated from French): Mr. Calderón's wish has been granted. All he had to do was mention the subject, and the delegations in question returned to the meeting. May I ask the members of the Asian Group whether they have managed to reach agreement on the problem which required such a lengthy suspension of our meeting? I give the floor to Ambassador Tanaka, who will speak on behalf of the Asian Group.

Mr. TANAKA (Japan): I'm sorry for keeping all of the delegations here for so long, but now I shall make a statement. On behalf of the Asian Group of countries, I wish to comment on the operation of article VIII provisions on the executive council allocation of seats. It is the intention of the Asian Group that the allocation of seats be done through regional groups, in accordance with the criteria laid down in article VIII. Papers setting out the subregional groupings and allocation of their seats have been prepared and have been distributed to all Asian regional States of the CD for their consideration. This process will continue.

The PRESIDENT (translated from French): If I understand rightly, consultations are to continue in the Asian Group. However, this should not prevent the Conference from adopting its report to the General Assembly: I think that for other regional groups the problem is not fully resolved either, and that they are continuing their negotiations - that is indeed in the spirit of article VIII. The Conference has taken good note of the statement of the Asian Group. I give the floor to the representative of the Islamic Republic of Iran.

Mr. MASHHADI (Islamic Republic of Iran): My delegation has referred earlier to the shortcomings and problems which are inherent now in the text, but because of these shortcomings we have worked hard along with other delegations to remedy them, particularly in the Asian Group. We acknowledge with thanks and appreciation the efforts rendered by Japan and particularly Ambassador Tanaka in the direction of solving the problems of the EC composition in Asia. And with this understanding, that these efforts will be continued until we arrive at a definite result, my delegation will agree to the transmission of the text to New York.

The PRESIDENT (translated from French): I propose that the Conference should now proceed to adopt the annual report to the United Nations General Assembly, contained in document CD/WP.428/Rev.1, as amended. If there are no objections, I shall take it that the annual report of the Conference to the General Assembly is adopted.

It was so decided.

The PRESIDENT (translated from French): I now propose to make my statement closing the session in my capacity as President of the Conference.

We have finally reached the end of our work. Thanks to our joint resolve to succeed and the constructive spirit of each of the delegations, we can transmit to the United Nations General Assembly a positive report on the efforts we have made throughout the present session. This report is the faithful reflection of our hopes, our joys and our disappointments. It is an example of what in my introductory statement I called "the art of the possible". In certain areas in our agenda, the results achieved, it is true, are rather meagre - we should not hide that. In others, however, and I am thinking particularly of the convention on chemical weapons, we may legitimately congratulate ourselves on the result achieved. I was right, I think, in formulating the hypothesis that we would succeed in the formidable task facing us in such a short time. I was right to believe that we could prove to the international community our credibility and our ability to deal with all the disarmament problems to be dealt with following the next session of the General Assembly of the United Nations. And finally, I was right to rely firmly on the spirit of cooperation of each of the delegations in the Conference on Disarmament.

It would be futile to try to mention all those who contributed actively to the success of our enterprise, because I would have to mention the 39 members of our Conference and the great majority of those I cannot bring myself to call the "non-members" and prefer to call the "observers", until we

(The President)

find something better. Each valuable contribution was an input to our common work. I would be unjust, however - the delegations will agree with me - if I did not make an exception, once again, for Ambassador von Wagner and his brilliant team, and another for the Secretary-General of the Conference and all his devoted staff, who have been put to a severe test during the last part of the present session.

My thanks on behalf of all of us also go to the interpreters, the translators, all those who make our work possible; for me, there are no "junior" staff, there is a chain in which each of the links, whatever its role might be, contributes to the strength of the whole.

I have faith in the future of the Conference. Of course, after the progress we have made, nothing will be as it was before. I was entrusted with a mission of information and consultation on two vital points for the future: the agenda of the Conference and its membership. With the aid of the Secretary-General and the Brazilian delegation, to which I will hand over the presidency, I plan to undertake this task, here in Geneva, in the coming days, and I shall continue it in the context of the work of the First Committee in New York, then again in Geneva, so as to report to you at the resumption of the next session, as agreed.

Here ends the official part of the Belgian presidency. It has been a great honour for my country as it has for myself. I thank all the delegations for their understanding, their cooperation and also their indulgence.

I have no other questions to consider today before the closure of the Conference for the year 1992. The next plenary meeting of the Conference on Disarmament will be held on Tuesday, 19 January 1993 at 10 a.m., in accordance with the agreement reached today on the opening date. If there are no further comments, I shall now adjourn this meeting and close the 1992 session.

The meeting rose at 9.35 p.m.